

Star-Kist Foods, Inc.

213 590 3858 P.02

180 EAST OCEAN BOULEVARD
LONG BEACH, CALIFORNIA 90802-4797
(213) 590-7900

October 8, 1986

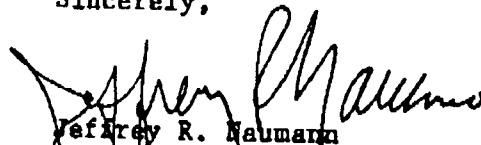
Mr. Norman Lovelace, Chief
Office of Territorial Programs
U. S. Environmental Protection Agency
Region IX
215 Fremont Street
San Francisco, CA 94105

Subject: STAR-KIST SAMOA, INC.; NPDES PERMIT RENEWAL

Dear Mr. Lovelace:

Star-Kist Samoa has reviewed the draft permit and is submitting written comments from the plant under the plant General Manager's signature. In order to insure that Star-Kist's comments reach the EPA by the deadline, however, I am hereby transmitting them by facsimile. Please call me at (213) 590-3873 if you should have any questions.

Sincerely,


Jeffrey R. Naumann
Manager Environmental Engineering

JRN/le

cc: Madonna Narvaez ~ EPA IX
Pati Fai'ai ~ ASG EQC
A. Cropley

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Star-Kist Foods, Inc.

213 590 3898

P.03

180 EAST OCEAN BOULEVARD
LONG BEACH, CALIFORNIA 90802-4797
(213) 590-7900

October 8, 1986

Mr. Norman Lovelace, Chief
Office of Territorial Programs
U. S. Environmental Protection Agency
Region IX
215 Fremont Street
San Francisco, CA 94105

Subject: STAR-KIST SAMOA, INC.; NPDES PERMIT RENEWAL NO. AS0000019,
COMMENTS TO DRAFT PERMIT

Dear Mr. Lovelace:

Star-Kist Samoa, Inc. ("Star-Kist") has reviewed the Draft Permit, and has met with the American Samoa Government and Samoa Packing Co. (SAMPAC) regarding the Samoa Cannery Waste Water study and draft permits, and would offer the following comments relative to that Draft Permit after reflecting upon the agreement which was reached amongst the principals of the waste water study.

Firstly, with regards to the cannery waste water study the following agreement was reached between the ASG and canners:

1. The canners agreed to institute barging of high strength wastes with the DAF sludge within twelve (12) months after the effective date of the permit (EDP).
2. High strength wastes and DAF sludge would be ocean dumped beginning at EDP plus twelve months and continuing throughout the life of the permit. The canners in conjunction with the ASG would agree to continue the harbor monitoring survey on a monthly basis at the nine stations presently monitored, in order to continue the data base for harbor nutrient concentrations. In addition, current meters would be installed in the harbor for continuous current monitoring at the location proposed in the CH₂M-Hill study for a possible deep water outfall in the outer Pago Pago harbor area. Currents would be monitored continuously for a two year period in order to better establish whether that location might be acceptable for an outfall should high strength waste barging not produce water quality in the harbor that is acceptable.

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3. At EDP plus three years a six month period would be allowed for the principals (the canners and the ASG) to examine the monitoring data and determine the future course to be followed to achieve compliance with Water Quality Standards: this might be an alternative means of waste disposal, no additional action, minor changes in the water quality standards, etc.
4. After three years and six months after EDP, if it was decided that additional measures must be undertaken to improve water quality, a compliance program to be agreed.
5. The ASG would keep pending the original mixing zone applications.

In view of the historical method of interpreting harbor water quality data during the development of the standards and subsequently, and the action that the principals to the study have agreed upon, we believe that the determination of monitoring data for enforcement purposes, the granting of mixing zones and the possibility of Section 303 should be deferred until the post high strength waste ocean dumping monitoring data is reviewed. The consultant's study indicates that the high strength waste removal will result in substantial improvements in Harbor Water Quality. Keeping the above agreement in mind, we would request that the following detailed changes be implemented in the Draft Permit so that the final permit will match the intended purposes of the American Samoa Government following review of the joint study. Individual comments will be made in the order in which they appear in the Draft Permit:

Page 1

Discharge 002 should include the following non-process streams: retort, scrubber, vapor recovery, condenser cooling and any other non-contact cooling waters. Star-Kist understands that they will apply for a mixing zone to be issued by the American Samoa Government to allow these discharges to be included in outfall 002. Star-Kist and all other canners have similar non-process outfalls for these flows at all facilities, with the exception of Samoa. The additional significant clean water volume impairs treatment efficiency, as was shown in a study made by Star-Kist at its Puerto Rico cannery, so that overall pollutants discharged are reduced after separate non-process diversion due to the greater removal efficiency in treatment of the remaining process wastes. Further, Star-Kist requests that storm water be not included in outfall 002 since much of the storm flow comes from outside of Star-Kist's facility, including hillside and roadway adjacent to the SAMPAC facility for which Star-Kist has no control over volume or quality.

Page 3 of 5.

Page 3, Part I (A)2

Star-Kist requests that the time period for these limitations be changed from "twelve months to three years after EDP" to "twelve months lasting through five years," in order to match the agreement obtained with ASG. The study consultant has recommended that at least a two-year period be given to allow the harbor waters to reach equilibrium after barging of high strength wastes is implemented. In addition, the proposed average and maximum limits for total nitrogen and total phosphorus appear to be reversed for each parameter.

Page 4, Part I (A)(3)

Star-Kist requests that these limits be deleted in that the previous limits contained in I (A)(2) would be continued through EDP plus five years, if the course agreed by the study principals is followed, including the necessary compliance period.

Page 6, Part I (A)(4)

Star-Kist requests that Outfall 002 include only scrubber, retort, vapor recovery, condenser cooling and any other non-contact cooling water. In addition, since much of the storm water that is contributory to the storm drain system does not come from Star-Kist facilities, Star-Kist requests that storm water be excluded from this permit in that Star-Kist has no control over its flow or pollutant concentrations. Further, as Star-Kist will be unable to meet the temperature requirement of 85°F, and possibly the turbidity standard, we would request that a Schedule of Compliance be granted in order to allow the ASG to grant a mixing zone for those parameters.

Page 7, Part I (A)(6)(b) - Toxic Substance Monitoring

Star-Kist requests that monitoring twice yearly for cadmium, chromium, lead, mercury and zinc be on the "net limitation" basis, in that with the exception of zinc, which is present in galvanized equipment used in the cannery, these materials are not used in the facility. Star-Kist would expect that any measureable levels of these heavy metals are likely to be from the intake fresh and sea waters, so that Star-Kist should not be responsible for the amounts of these metals not added by the cannery.

Page 8, Part I (A)(6)(c) - Sediment Monitoring

As mentioned at a recent meeting with EPA in San Francisco, Star-Kist believes that monitoring of harbor bottom sediments near the cannery outfalls and at a reference location in the harbor are meaningless due to the past history of the harbor. Specifically, the canneries are

Star-Kist Foods, Inc.

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located adjacent to the Marine Railway, which has sand blasted vessel bottoms containing antifouling paints for many years. The U. S. Navy operated a submarine base during World War II at the location of the canneries. The cannery areas are used for mooring of many vessels throughout the year. Therefore, any contamination of bottom sediments at these locations is much more likely to be attributable to other sources rather than the waste water outfalls. Star-Kist believes that sediment monitoring is not appropriate, and would request that it be deleted from the permit.

Page 9, Part I (B)(1) - Schedule of Compliance

Star-Kist requests that the requirement to submit a report to EPA and the ASG six months after EDP be deleted, since the revised schedule would require review of the harbor water quality after EDP plus three years. During that review period the canners and the ASG would review what further action, in order to attain acceptable harbor water quality, which would be implemented within an agreed compliance schedule.

Page 9, Part I (B)(2)

Star-Kist requests that this paragraph be deleted in that in the proposed course of action the requirements for further action would not be determined until EDP plus three years and six months.

Page 9, Part I (B)(3)

Star-Kist requests that this paragraph be altered to require a Schedule of Compliance that would allow for attainment of any additional action required beyond barging of high strength wastes to be decided at EDP plus three years and six months, after reviewing monitoring data obtained during two years of ocean dumping of high strength wastes.

Page 10, Part I (B)(4)

The Schedule of compliance should be modified as follows:
The Permittee shall:

- a. Achieve compliance with the effluent limits as established in Parts I.A.1, I.A.4, and I.A.5, upon the effective date of this permit.
- b. Achieve compliance with the effluent limits established in Part I.A.2.....(by EDP + 12 months).

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- c. Establish with SAMPAC and the ASG current monitoring stations and equipment in the outer harbor that would be potentially acceptable for an outer harbor outfall location should barging of high strength wastes with an inner harbor discharge prove to be unacceptable by.....(by EDP + 12 months).
- d. Commence review of monitoring data obtained in the harbor during the period in which high strength waste is ocean dumped....(by EDP + 3 years).
- e. Complete review of monitoring data obtained during the first three years of the permit.....(by EDP + 3 years and 6 months).
- f. Determine together with SAMPAC and the ASG which further course of action will be necessary to attain water quality in compliance with Water Quality Standards. Develop a Schedule of Compliance that would be approved by both the EPA and ASG to implement the agreed course of action. Upon such approval and notice and opportunity for public comment the permit shall be reopened and modified to include the compliance schedule and the dates necessary to attain acceptable water quality within the scheduled compliance period....(by EDP + 3 years and 6 months).
- g. Achieve compliance with water quality standards within the compliance schedule....(by EDP + 5 years).

Star-Kist Samoa, Inc. appreciates this opportunity to respond to the Draft NPDES Permit which is of the utmost importance to its future operations. If there are any questions regarding our comments please contact Jeff Naumann at Star-Kist Foods, 213 590-3873.

Sincerely,

Albert E. Cropley
President and General Manager
Star-Kist Samoa, Inc.

cc: Madonna Narvaez - EPA IX
Pati Faiai - ASG EQC
Lyle Richmond - ASG EQC
D. Ballands
R. Hetzler
K. Hauge
Frank Hackman - Ralson
LE3-NLSNP

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Star-Kist SAMOA, Inc.

P.O. Box 368 • Pago Pago • TUTUILA ISLAND • AMERICAN SAMOA



October 5, 1984 74 OCT 17 1984

Norman L. Lovelace
Office of Territorial Programs
Environmental Protection Agency
Region IX
215 Fremont Street
San Francisco, California 94105

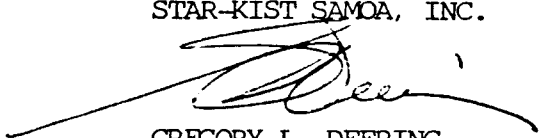
Subject: NPDES PERMIT RENEWAL STAR-KIST SAMOA AS0000019

Dear Mr. Lovelace:

Star-Kist Samoa is scheduled to renew their NPDES Permit at this time as the present permit expires on March 31, 1985. We will require additional sampling and analyses, some of which must be done off-island as a qualified contract laboratory is not available in American Samoa. We would, therefore, request that we be given an additional period of thirty days in order to submit the consolidated application form. If this delay in permit application presents any problem please feel free to call myself at (684) 633-1652 or Jeffrey Naumann, Manager Environmental Engineering, at (213) 548-4411 Ext. 6319.

Very truly yours,

STAR-KIST SAMOA, INC.



GREGORY L. DEERING
General Manager

/tsl

Copy to:
Jeff Naumann

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Star-Kist Foods, Inc.

582 TUNA STREET
TERMINAL ISLAND, CALIFORNIA 90731
(213) 548-4411

Davey

November 28, 1984

Norman L. Lovelace
Office of Territorial Programs
Environmental Protection Agency
Region IX
215 Fremont Street
San Francisco, CA 94105

Subject: NPDES Permit Renewal, Star-Kist Samoa AS0000019

Dear Mr. Lovelace:

In our previous letter to you dated October 5, 1984, Star-Kist Samoa indicated that we would be late in submission of the renewal application that was due on October 4, 1984, and hope to have the information complete and received by you by the 4th of November. We are still being delayed by not having received the complete laboratory analyses from our contract laboratory in Honolulu. They have indicated to us that their TOC testing apparatus is not functioning and that our samples would have to be sent to the mainland for completion. We hope to receive all of the results soon and if they are not forthcoming we will submit the partially completed consolidated application forms within the next two weeks. We must apologize for the delay and hope that it will not present any problems in renewal of the permit. Please call me at (213) 548-4411 Ext. 6319, if you wish us to proceed in a different manner.

Sincerely,

Jeffrey R. Naumann

Jeffrey R. Naumann
Manager Environmental Engineering

JRN/le

cc: Greg Deering
Mark Anthony
Dave Ballands

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CERTIFIED MAIL NO. 597408

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

215 Fremont Street
San Francisco, Ca. 94105

In reply E-4-1
Refer to: 861.C

General Manager
Van Camp Seafood Company
Division of Ralston Purina Company
Pago Pago, American Samoa 96920

Dear Sir:

14 APR 1980

Enclosed is a signed and dated copy of the National Pollutant Discharge Elimination System (NPDES) permit for:

Van Camp Sea Food Company, NPDES Permit No. AS0000027

The Regional Administrator has reviewed the NPDES application in accordance with the Clean Water Act of 1977 and has also published a public notice of tentative determinations regarding the application. After considering the expressed views of all interested persons and agencies, pertinent Federal statutes and regulations, and State comments and/or certification of the discharge, the Regional Administrator, pursuant to 40 CFR 124, Subpart G, has made final determinations (the enclosed permit) which differ significantly from those proposed in the public notice.

The permit is hereby issued upon the date of signature and shall become effective thirty days from the date of signature, unless there is a written request for an evidentiary hearing pursuant to 40 CFR 124, Subpart H. Any request for an evidentiary hearing must be submitted within thirty days following receipt of this letter.

Sincerely yours,

Clyde B. Eller

Clyde B. Eller
Director
Enforcement Division

Enclosures

cc: Environmental Quality Commission, American Samoa
U.S. Fish & Wildlife Service, Honolulu
U.S. Army Corps of Engineers, Honolulu
U.S. Coast Guard, 14th District

*Com to
4-14-80*

yellow

PERMIT ISSUANCE ROUTING SLIP

Typed By: A. Ferris Date: 4/3/80

Prepared By: Chris Vais *Chris Vais* Date: 4/4/80
(Permit Drafter)

Approved By: *[Signature]* T. Ernst Date: _____
(Chief, Water Section)

Approved By: *[Signature]* D. Howekamp Date: 4/4/80
(Chief, Permits Branch)

Signed By: *[Signature]* C. Eller Date: 4/4/80
(Director, Enforcement Div.)

Return to Permits Clerk, E-4-1, for mailing.

Applicant Name: Van Camp Sea Food Company, Division of the
Ralston Purina Company

NPDES No.: AS0000027

Permit No. AS0000027

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et. seq.; the "Act"),

Samoa Packing Company, Inc.
Pago Pago, Tutuila
American Samoa 96799

is authorized to discharge

tuna processing wastewater (discharge 001 at 14° 16' 265" S latitude,
170° 41' 8" W longitude)

from the Samoa Packing Company Tuna Cannery located at Pago Pago, American Samoa to receiving waters named Pago Pago Harbor

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II and III hereof.

This permit shall become effective on , 1985.

This permit and the authorization to discharge shall expire
at midnight, , 1990.

Signed this day of , 1985

For the Regional Administrator

Director, Water Management Division

Part I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (based on a maximum production rate of 320 tons/day of seafood processed and an approximate flow rate of 0.72 MGD)

1. During the period beginning with the effective date of this permit and lasting through (6 months), the permittee is authorized to discharge from Outfall Serial No. 001 (tuna processing wastewater).

a. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations			Monitoring Requirements	
	loading		concentration	Measurement Frequency	Sample Type
	Monthly Average	Daily Maximum	in mg/l Monthly Average		
Flow (MGD)	(d)	(d)	-	Continuous	Continuous
Temperature (°F)	(d)	90	-	Continuous	Continuous
BOD5 (lbs/day)	(d)	(d)	(d)	Twice weekly	Composite
pH (Standard Units)	Not less than 6.5 and not greater than 8.6			Continuous	Continuous
Total Suspended Solids (lbs/day)	2,100	5,300	(d)	Twice weekly	Composite
Total Suspended Solids (lbs/1000 lbs seafood)	3.3	8.3	-	Twice weekly	Calculated
Oil and Grease (a)(b) (lbs/day)	540	1,300	(d)	Twice weekly	Composite
Oil and Grease (a)(b) (lbs/1000 lbs seafood)	0.84	2.1	-	Twice weekly	Calculated
Total Nitrogen (b) (lbs/day)	(d)	(d)	(d)	Twice weekly	Composite
Total Phosphorus (b) (lbs/day)	(d)	(d)	(d)	Twice weekly	Composite

(a) The test procedure for the analysis of oil and grease shall comply with the method described in the manual of "Methods for Chemical Analysis of Water and Wastes," 1974, EPA, Methods Development and Quality Assurance Research Laboratory, page 229 (with written EPA approval for non-substantive changes) or an alternate procedure approved in accordance with the procedures specified in regulations published pursuant to Section 304(h) of the Act.

(b) Samples shall be taken concurrently.

(d) Reporting required only.

Part I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (based on a maximum production rate of 320 tons/day of seafood processed and an approximate flow rate of 0.72 MGD)

2. During the period beginning (6 months) and lasting through (2 years), the permittee is authorized to discharge from Outfall Serial No. 001 (tuna processing wastewater).

a. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations			Monitoring Requirements	
	loading		concentration	Measurement Frequency	Sample Type
	Monthly Average	Daily Maximum	Monthly Average		
Flow (MGD)	(d)	(d)	-	Continuous	Continuous
Temperature (°F)	(d)	90	-	Continuous	Continuous
BOD5 (lbs/day)	3,900	6,900	(d)	Twice weekly	Composite
pH (Standard Units)	Not less than 6.5 and not greater than 8.6			Continuous	Continuous
Total Suspended Solids (lbs/day)	2,100	5,300	(d)	Twice weekly	Composite
Total Suspended Solids (lbs/1000 lbs seafood)	3.3	8.3	-	Twice weekly	Calculated
Oil and Grease (a)(b) (lbs/day)	540	1,300	(d)	Twice weekly	Composite
Oil and Grease (a)(b) (lbs/1000 lbs seafood)	0.84	2.1	-	Twice weekly	Calculated
Total Nitrogen (b) (lbs/day)	820	1,800	(d)	Twice weekly	Composite
Total Phosphorus (b) (lbs/day)	33	100	(d)	Twice weekly	Composite

(a) The test procedure for the analysis of oil and grease shall comply with the method described in the manual of "Methods for Chemical Analysis of Water and Wastes," 1974, EPA, Methods Development and Quality Assurance Research Laboratory, page 229 (with written EPA approval for non-substantive changes) or an alternate procedure approved in accordance with the procedures specified in regulations published pursuant to Section 304(h) of the Act.

(b) Samples shall be taken concurrently.

(d) Reporting required only.

Part I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (based on a maximum production rate of 320 tons/day of seafood processed and an approximate flow rate of 0.72 MGD)

3. During the period beginning with (2 years) and lasting through (five years), the permittee is authorized to discharge from Outfall Serial No. 001 (tuna processing wastewater).

a. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations			Monitoring Requirements	
	loading		concentration	Measurement Frequency	Sample Type
	Monthly Average	Daily Maximum	in mg/l Monthly Average		
Flow (MGD)	(d)	(d)	-	Continuous	Continuous
Temperature (°F)	(d)	85	-	Continuous	Continuous
BOD5 (lbs/day)	3,900	6,900	(d)	Twice weekly	Composite
pH (Standard Units)	Not less than 6.5 and not greater than 8.6			Continuous	Continuous
Total Suspended Solids (lbs/day)	2,100	5,300	(d)	Twice weekly	Composite
Total Suspended Solids (lbs/1000 lbs seafood)	3.3	8.3	-	Twice weekly	Calculated
Oil and Grease (a)(b) (lbs/day)	540	1,300	(d)	Twice weekly	Composite
Oil and Grease (a)(b) (lbs/1000 lbs seafood)	0.84	2.1	-	Twice weekly	Calculated
Total Nitrogen (b)(c)	-	-	0.20	Twice weekly	Composite
Total Phosphorus (b)(c)	-	-	0.03	Twice weekly	Composite

(a) The test procedure for the analysis of oil and grease shall comply with the method described in the manual of "Methods for Chemical Analysis of Water and Wastes," 1974, EPA, Methods Development and Quality Assurance Research Laboratory, page 229 (with written EPA approval for non-substantive changes) or an alternate procedure approved in accordance with the procedures specified in regulations published pursuant to Section 304(h) of the Act.

(b) Samples shall be taken concurrently.

(c) Median monthly value may not exceed the given limitation. In addition, 10% of the sample results obtained during the month may not exceed 0.35 mg/l for total nitrogen, or 0.06 mg/l for total phosphorus.

(d) Reporting required only.

4. During the period beginning with the effective date of this permit and lasting through (five years), the discharges from Outfall Serial No. 001 shall also be limited and monitored by the permittee as follows:
 - a. There shall be no discharge of floating solids or visible foam in other than trace amounts.
 - b. Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge of Outfall Serial No. 001. Effluent samples shall be taken downstream from the treatment works prior to mixing with the receiving waters.
 - c. There shall be no discharge of toxic substances that violate the water quality standards for the Territory of American Samoa.
 - d. The discharge shall not cause objectionable odors at the surface of the receiving waters.
 - e. Samples shall be taken and analyzed for toxic substances as follows:
 - i) Cannery effluent shall be sampled and reported twice yearly at the discharge of Outfall Serial No. 001 for cadmium, chromium, lead, mercury, and zinc.
 - ii) The bottom sediments of Pago Pago Harbor shall be sampled and reported once yearly at locations 50 feet from the discharge of Outfall Serial No. 001 and at a control location selected by the permittee for total volatile solids, total oil and grease, cadmium, chromium, lead, mercury, and zinc. The control location must be within Pago Pago Harbor away from the influence of the cannery discharges and any other harbor discharges. The control location must be approved by EPA, Region 9.

B. SCHEDULE OF COMPLIANCE

1. The permittee shall comply with effluent limitations established in Part I.A. in accordance with the following schedule of compliance.

The permittee shall:

- a. Achieve compliance with the effluent limits established in Parts I.A.1., and I.A.4. by the effective date of this permit.
- b. Achieve compliance with the effluent limits established in Part I.A.2. by.....(6 months)
- c. Submit a report to EPA and Government of American Samoa confirming compliance with the Part I.A.2. effluent limits by.....(6 mo + 14 days)
- d. Submit a report to EPA and Government of American Samoa which evaluates progress towards achieving compliance with effluent limits necessary for achieving water quality standards set forth in Part I.A.3. by.....(1 year)
- e. Achieve compliance with the effluent limits necessary for achieving water quality standards set forth in Part I.A.3 by.....(2 years)
- f. Submit a report to EPA and Government of American Samoa confirming compliance with the effluent limits necessary for achieving water quality standards set forth in Part I.A.3 by.....(2 years + 14 days)

C. MONITORING AND RECORDS

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

3. Penalties for Tampering

The Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

4. Reporting of Monitoring Results

Monitoring results obtained during the previous 3 months shall be summarized for each month and submitted quarterly on forms to be supplied by the Regional Administrator, to the extent that the information reported may be entered on the forms. The results of all monitoring required by this permit shall be submitted in such a format as to allow direct comparison with the limitations and requirements of this permit. Unless otherwise specified, discharge flows shall be reported in terms of the average flow over each 30-day period and the maximum daily flow over that 30-day period. Monitoring reports shall be postmarked no later than the 28th day of the month following the completed reporting period. The first report is due on

. Signed copies of these, and all other reports required herein, shall be submitted to the Regional Administrator and the Government of American Samoa at the following address:

Regional Administrator
Environmental Protection Agency
Region 9, Attn: W-1-1
215 Fremont Street
San Francisco, CA 94105

Executive Secretary
Environmental Quality Commission
Government of American Samoa
Tutuila, Pago Pago
American Samoa 96920

5. Definitions

- a. The "monthly average" discharge means the total discharge by weight during a calendar month divided by the number of days in the month that the production or commercial facility was operating. Where less than daily sampling is required by this permit, the monthly average discharge shall be determined by the summation of all the measured daily discharges by weight divided by the number of days during the calendar month when the measurements were made.
- b. The "daily maximum" discharge means the total discharge by weight during any calendar day.
- c. A "discrete" sample means any individual sample collected in less than 15 minutes.
- d. A "composite sample" means a combination of no fewer than eight individual samples obtained at equal time intervals over the production period of the day of sampling. The volume of each individual sample shall be proportional to the discharge flow rate at the time of sampling.
- e. "Seafood" means the raw material, including freshwater and saltwater fish and shellfish, to be processed, in the form in which it is received at the processing plant.

6. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in the permit, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

7. Averaging of Measurements

Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Regional Administrator in the permit.

8. Intermittent Discharge Monitoring

If the discharge is intermittent rather than continuous, then on the first day of each such intermittent discharge, the permittee shall monitor and record data for all the characteristics listed in the monitoring requirements, after which the frequencies of analysis listed in the monitoring requirements shall apply for the duration of each such intermittent discharge. In no event shall the permittee be required to monitor and record data more often than twice the frequencies listed in the monitoring requirements.

9. Monitoring Modification

Monitoring, analytical, and reporting requirements may be modified by the Regional Administrator upon due notice.

10. Retention of Records

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit for a period of at least three (3) years from the date of the sample, measurement, or report. This period may be extended by request of the Regional Administrator at any time.

11. Records Content

Records of monitoring information shall include:

- a. The date, place, and time of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

12. Inspection and Entry

The permittee shall allow the Regional Administrator, or the Executive Secretary, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location. If samples are taken, the permittee shall be given split samples upon request.

D. REPORTING REQUIREMENTS

1. Anticipated Noncompliance

The permittee shall give advance notice to the Regional Administrator of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

2. Compliance Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

3. Monitoring Reports

Monitoring results shall be reported at the intervals specified in Part I.C.4. of this permit.

4. Twenty-Four Hour Reporting of Noncompliance

The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including dates and times, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The following shall be included as information which must be reported within 24 hours:

- a. Any unanticipated bypass which exceeds any effluent limitation in the permit;
- b. Any upset which exceeds any effluent limitation in the permit; and
- c. Violation of a maximum daily discharge limitation for any toxic pollutant or hazardous substance, or any pollutant specifically identified as the method to control a toxic pollutant or hazardous substance, listed as such by the Regional Administrator in the permit to be reported within 24 hours.

5. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under Part I.D.4. at the time monitoring reports are submitted. The reports shall contain the information listed in Part I.D.4.

6. Signatory Requirements

a. Applications. All permit applications shall be signed as follows:

- (1) For a corporation: by a responsible corporate officer. For the purposes of this section, a responsible corporate officer means (a) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (b) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (2) For a partnership or sole proprietorship: by a general partner or proprietor, respectively; or
- (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (a) the chief executive officer of the agency, or (b) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

b. Reports. All reports required by permits and other information requested by the Regional Administrator shall be signed by a person described in paragraph a. of this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- (1) The authorization is made in writing by a person described in paragraph a. of this section;
- (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and
- (3) The written authorization is submitted to the Regional Administrator.

- c. Changes to authorization. If an authorization under paragraph b. of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph b. of this section must be submitted to the Regional Administrator prior to or together with any reports, information, or applications to be signed by an authorized representative.
- d. Certification. Any person signing a document under paragraphs a. or b. of this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

7. Duty to Provide Information

The permittee shall furnish to the Regional Administrator, within a reasonable time, any information which the Regional Administrator may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Regional Administrator upon request, copies of records required to be kept by this permit.

8. Availability of Reports

Except for data determined to be confidential under 40 CFR Part 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Regional Administrator. As required by the Act, permit applications, permits, and effluent data shall not be considered confidential.

9. Penalties for Falsification of Reports

The Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

10. Planned Changes

The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

- a. The alteration or addition to the permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR § 122.29 (b); or
- b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR § 122.42 (a)(1).

Part II

A. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

2. Need to Halt or Reduce Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

3. Bypass of Treatment Facilities

a. Definitions

- (1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
- (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which are reasonably expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

b. Bypass not exceeding limitations

The permittees may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs c. and d. of this section.

c. Notice

- (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, he shall submit prior notice, if possible, at least 10 days before the date of the bypass.
- (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part I.D.4. (24-hour notice).

d. Prohibition of bypass

- (1) Bypass is prohibited, and the Regional Administrator may take enforcement action against the permittee for bypass, unless:
 - (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (b) There were no feasible alternatives to the bypass, such as the use of auxilliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (c) The permittee submitted notices as required under paragraph c. of this section.
- (2) The Regional Administrator may approve an anticipated bypass, after considering its adverse effects, if he determines that it will meet the three conditions listed above in paragraph d.(1) of this section.

4. Upset Conditions

a. Definition

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b. Effect of an upset

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of paragraph c of this section are met. No determination made during administrative review of claims that noncompliance was caused by an upset, and before an action for noncompliance, is final administrative action subject to judicial review.

c. Conditions necessary for a demonstration of upset

A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An upset occurred and that the permittee can identify the the specific cause(s) of the upset;
- (2) The permitted facility was at the time being properly operated;
- (3) The permittee submitted notice of the upset as required in Part I.D.4. (24-hour notice); and
- (4) The permittee complied with any remedial measures required under Part II.B.4. (duty to mitigate).

d. Burden of proof

In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

5. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

B. GENERAL CONDITIONS

1. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

2. Duty to Comply with Toxic Effluent Standards

The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

3. Penalties for Violation of Permit Conditions

The Act provides that any person who violates a permit condition implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing sections 301, 302, 306, 307, or 308 of the Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both.

4. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

5. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or notification of planned changes and anticipated noncompliance, does not stay any permit condition.

6. Toxic Pollutants

Notwithstanding Part II.B.5. above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revoked and reissued or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified.

7. Transfers

This permit is not transferable to any person except after notice to the Regional Administrator. The Regional Administrator may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act.

8. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Regional Administrator.

9. Civil and Criminal Liability

Except as provided in permit conditions on "Bypasses" (Part II.A.3.) and "Upsets" (Part II.A.4.), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

10. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the Act.

11. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the operator from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

12. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property, or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

13. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

PART III

A. REAPPLICATION

If the permittee desires to continue an activity regulated by this permit after the expiration of the permit, the permittee must apply for and obtain a new permit.

B. NOTIFICATION REQUIREMENTS

The permittee must notify the Regional Administrator as soon as they know or have reason to believe:

(1) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(a) One hundred micrograms per liter (100 ug/l);

(b) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;

(c) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with §122.21 (g)(9).

C. ZONE OF MIXING

If the Government of American Samoa grants a zone of mixing, this permit may be reopened and modified at that time to include new effluent limits and monitoring requirements based on the zone of mixing.

FACT SHEET

NPDES permit AS0000027 Samoa Packing Company

Description of Discharge

The Samoa Packing Co. tuna cannery is located on Tutuila Island, American Samoa. Process discharges from the cannery enter Pago Pago Harbor at 14° 16' 26.5" South latitude and 170° 41' 8" West longitude. The cannery receives whole tuna which is processed into canned tuna and dried fish meal. Waste streams from this operation consist mainly of fish waste, fresh water, and sea water which are treated by the Dissolved Air Floation (DAF) process. The DAF sludge is barged to sea for disposal. Approximately 320 tons of fish are processed per day. The resulting discharge is 0.72 MGD.

BCT Determination

The Clean Water Act (the Act) requires compliance with effluent limitations based on the application of Best Conventional Pollutant Control Technology (BCT) no later than July 1, 1984. On July 9, 1986, EPA published final effluent guidelines in the Federal Register which set BCT limits for tuna processing equal to Best Practicable Control Technology (BPT).

Effluent Limitations

The effluent limits set forth in this permit are based on BCT as outlined above. In addition, the permit imposes more stringent final and interim limits in order to bring the discharge into compliance with the Pago Pago Harbor water quality standards. The BCT limits are based on effluent guidelines for tuna processing found at 40 CFR §408 Subpart N. These guidelines contain limits for total suspended solids (TSS), oil and grease (O&G), and pH. The BCT effluent limits must be met immediately. The interim limits may be met by eliminating the high strength press and precooker waste streams from the effluent. These interim limits for nitrogen, and

phosphorus are based on the increased pollutant control available with waste stream segregation. The interim limits must be met within 12 months. Final limits for total nitrogen and total phosphorus are imposed after three years to ensure that these pollutants do not cause violations of water quality standards in the receiving waters.

Calculation of Effluent Limits

Effluent limitations for the process waste discharge were calculated based on the total flow rates reported in the permit application:

<u>Maximum</u>	<u>Monthly Average</u>
0.72 MGD	0.44 MGD

Technology-Based Limits

BCT limits for TSS and O&G are based on the production rate applied for by the permittee, and the production-based factors promulgated in the BPT effluent guidelines for the tuna processing point source category. These factors are given as Discharge Limitations in the permit along with mass limitations based on an estimated production rate of 320 tons per day. These BCT limits must be met immediately.

Final Limits Based on Water Quality Standards

The Act also requires that the discharge comply with effluent limitations based on any water quality standards applicable to the receiving waters. In 1981, the American Samoa Government adopted, and EPA approved, Water Quality Standards for American Samoa which contain numerical limits for pollutant concentrations allowed in the waters of Pago Pago Harbor. Water quality limitations for nitrogen, phosphorus, and temperature are shown in the following table:

<u>Parameter</u>	<u>Median not to exceed given value</u>	<u>Not to exceed given value 10% of the time</u>	<u>Not to exceed given value 2% of the time</u>
Total N (mg/1)	0.20	0.35	0.50
Total P (mg/1)	0.03	0.06	0.09

Temperature shall not exceed 85° F at any time.

The pH range shall be 6.5 to 8.6 and be within 0.2 pH units of that which would occur naturally.

These limits must be met within three years. Part III.C. of the permit allows the permit to be reopened and modified to include new limits if the American Samoa water quality standards are revised or if the American Samoa Government grants the permittee a zone of mixing.

Interim Limits

Interim limits are imposed to ensure that progress is made towards compliance with water quality standards. These interim limits may be met by the use of DAF treatment and segregation of high strength press and precooker waters from the plant effluent for disposal at sea. The "Joint Study of Fish Cannery Wastewater Effluent Loading Reduction at Pago Pago Harbor, American Samoa" prepared by CH2M Hill in 1984 discusses this treatment method in depth and strongly suggests its implementation. It is a simple method which would significantly improve the water quality of the harbor. Implementation of this technology is economically reasonable, and results in a discharge similar to that of tuna processing facilities which employ a solubles plant to recover oils from the high strength tuna processing waters. This level of treatment can be accomplished with simple in-plant control modifications. Implementation requires modifications to plant waste water conveyances, which will remove the press and precooker waters from the DAF influent, construction of new tankage to store this flow, and use of a waste transport vessel which has adequate capacity to carry the increased waste volume. These limits must be met within 12 months of issuance of the permit.

Calculation of Interim Limits

The interim nitrogen limits are based on the elimination of press and precooker nitrogen loads from the discharge. The limits are calculated as the reported nitrogen effluent load less the nitrogen reduction predicted as shown below:

<u>Flow</u>	<u>Effluent N Load (lbs/day)³</u>	<u>N Fraction Contributed by Press & Precooker¹</u>	<u>Press & Precooker N Load (lbs/day)</u>	<u>DAF Treatment Efficiency²</u>	<u>Effluent N Reduction (lbs/day)</u>
Daily Maximum	2,822.2	0.60	1,693	40%	1,016
Monthly Average	1,276	0.60	766	40%	459

The interim phosphorus limits are calculated similarly:

<u>Flow</u>	<u>Effluent P Load (lbs/day)³</u>	<u>P Fraction Contributed by Press & Precooker¹</u>	<u>Press & Precooker P Load (lbs/day)</u>	<u>DAF Treatment Efficiency²</u>	<u>Effluent P Reduction (lbs/day)</u>
Daily Maximum	163.0	0.60	97.8	40%	58.7
Monthly Average	51.8	0.60	31.1	40%	18.6

(Since DAF treatment removes 40% of all nitrogen and phosphorus from the waste water, we can expect that a given reduction of these pollutants to the DAF units would result in an effluent reduction equal to 60% of the influent reduction. So, the incremental nutrient reduction in implementing waste stream segregation is 60% of the nutrient load of the two segregated streams.)

The limits are calculated as the reported effluent loads less the predicted reductions as shown below:

<u>Flow</u>	<u>Reported N load³</u>	<u>Predicted N reduction</u>	<u>Nitrogen Effluent limit</u>
Daily Maximum	2,822.2 lbs/day	1,016 lbs/day	1,800 lbs/day
Monthly Ave.	1,276 lbs/day	459 lbs/day	820 lbs/day

<u>Flow</u>	<u>Reported P load³</u>	<u>Predicted P reduction</u>	<u>Phosphorus Effluent limit</u>
Daily Maximum	163.0 lbs/day	58.7 lbs/day	100 lbs/day
Monthly Ave.	51.8 lbs/day	18.6 lbs/day	33 lbs/day

The interim limits must be met within 12 months of issuance of the permit.

Schedule of Compliance

The permit's schedule of compliance requires the permittee to bring the discharges into compliance with water quality standards within three years. Part I.B.1-3 describes the steps necessary to reach compliance within three years. The permit may be reopened and modified to include new effluent limits based on the results of Part I.B.3.

pH

The effluent limits for pH are based on water quality standards for Pago Pago Harbor. The 1% pH rule as specified in 40 CFR 401.17 can be applied to these limits since the applicant is required to monitor continuously for pH. These limits must be met immediately.

Additional Monitoring Requirements

Toxic substances and receiving water monitoring are required to document the effects on the beneficial uses of the receiving waters and to determine compliance with NPDES permit conditions.

The permit requires that the cannery effluent be sampled and reported twice yearly at Outfall Serial No. 001 for cadmium, chromium, lead, mercury and zinc, toxic substances as contained in Table III, Appendix D of 40 CFR 122. These could be present in the effluent as a result of the canmaking and can washing activities associated with tuna processing. Monitoring is required to ensure compliance with water quality standards.

Part I.A.6.b. of the permit also requires that the permittee continue to participate in the monitoring program in Pago Pago Harbor established by the American Samoan Government. This monitoring program is necessary to gather more data on Pago Pago Harbor, in order to document the effects of the discharges resulting from in-plant modifications on the receiving waters. Monitoring is required to determine compliance with the water quality standards.

Procedures for Decision Making

Notice of the Regional Administrator's intent to issue this permit is being sent to

as required by regulations at 40 CFR 124.10. Anyone wishing to comment on the proposed permit may do so in writing for a period of 30 days following the date of public notice. The comment period may be extended

at the discretion of the Regional Administrator. Comments should be addressed to:

Madonna Narvaez (W-5-1)
EPA Region 9
215 Fremont Street
San Francisco, CA 94105

Comments must be received by .

Any interested party may request that a public hearing be held concerning this proposed action. Requests must be in writing and must be received during the 30 day comment period.

For further information, please contact Madonna Narvaez at (415) 974-7427.

REFERENCES

1. CH2M Hill. 1984. Joint Study of Fish Cannery Wastewater Effluent Loading Reduction at Pago Pago Harbor, American Samoa. Page 3-19. November, 1984.
2. CH2M Hill. 1984. Joint Study of Fish Cannery Wastewater Effluent Loading Reduction at Pago Pago Harbor, American Samoa. Page 3-7. November, 1984.
3. Samoa Packing Company. Permit Application. September 27, 1984.

TELEPHONE CONVERSATION OR VISITOR REPORT

Date 30 Nov 79 Time 0945U

Call From: Frank Hackmann
FTS 279-4110
314/982-2619

Routing: 1 3
2 4

Ralston Purina- Van Camp
American Samoa

File :

To : MSW E-2

Copy to: E-4 

Subject : Letter from Govt. Am. Sam. re refusal to certify NPDES Permit


SUMMARY :

I advised Hackmann of the receipt of the letter of refusal to certify. He was shocked! He thought that he had everything up to sweetheart with GAS.

He will try to fix the problem with GAS and asked that we hold everything in holding pattern until he does.

We have until 30 Jan '80 to do this since that is the next date set by Judge Jones in the Adjudicatory Hearing.

Hackmann says that he now has things straightened out for the Ocean Dumping Application and will send answers to our questions of last spring together with a check. They ~~are~~ do plan to go to ocean dumping.

Hackmann requested copies of correspondence on subject of refusal to certify. I have a copy letter of 11 Sept 79 and of letter of 16 November 79, but do not have reply to 11 Sept 79. E-4 please furnish this? 

In Reply E-2
Refer to: HEA-1

Mr. Frank Hackmann
Director, Environmental Affairs
Ralston-Purina Company
Checkerboard Square
St. Louis, MO 63188

SEP 28 1979

Subject: Ralston Purina Company - NPDES Permit
No. AS0000027 - Docket No. 141.34(W)

Ralston Purina Company v. United States
Environmental Protection Agency, USCA
9th, 79-7013

Dear Mr. Hackmann:

We are preparing to issue to Ralston Purina the NPDES Permit referred to above for its tuna packing plant at Pago Pago, American Samoa. I presume that you have no objections to it.

I understand from our previous correspondence that Ralston Purina will then withdraw its request for an adjudicatory hearing. This will terminate that proceeding. I further understand that Ralston Purina will also dismiss its petition for review of the Administrator's action that is pending in the U.S. Court of Appeals for the Ninth Circuit.

I will appreciate it if you will prepare and forward the appropriate documents to accomplish the foregoing.

Sincerely yours,

Original Signed by:

Matthew S. Walker

Matthew S. Walker
Senior Attorney
Enforcement Division

cc: Honorable Marvin E. Jones
Mr. Steve Watson
Regional Hearing Clerk, Region IX

bc: ->E-4; E-5; RC

9-14-79

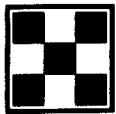
Frank Hachmann -

I had given you some Xerox pages in error during your visit to this office.

Please discard pages 226, 227, and 228 pertaining to the Soxhlet Extraction method.

Enclosed please find pages 515 and 516 on the Partition-Gravimetric Method. Should you have questions, please do not hesitate to call me.

Sincerely,
Raymond Seid
415-556-3450



Ralston Purina
Company

September 13, 1979

Mr. Raymond Seid
United States Environmental Protection Agency
Region IX
Enforcement Division, Permits Branch-E-4-2
215 Fremont Street
San Francisco, California 94105

Dear Mr. Seid:

Draft Permit - Van Camp SeaFood Company AS0000027

Confirming our previous phone conversation, please be advised that Van Camp SeaFood Company, Division of Ralston Purina Company, has the following comments to make on the proposed permit renewal for its American Samoa operation. As you know, I did not receive the draft permit until August 22.

We concur with the draft permit maximum production limitation of 225 tons per day. However, the effluent characteristics for total suspended solids and oil and grease on both a 30-day average and daily maximum basis do not appear to have been computed in accordance with the 225 ton maximum production rate. Accordingly, those numbers should be revised to reflect a production rate of 225 tons per day. As we discussed, there should be no problem in doing this because it is consistent with all the technical information available regarding the capabilities of the current DAF system and our permit renewal application previously submitted.

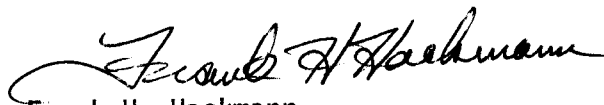
We also discussed the appropriate test procedure for the analysis of oil and grease. As I indicated, there has been considerable discussion over the last year between Van Camp and the EPA regarding the appropriate oil and grease procedure to use on tuna waste. It is my recollection that the EPA agreed that the modified liquid liquid extraction procedure (with the primary modification being separation of the emulsion layer) was the most technically appropriate analytical method to use on this type of waste. If the Agency feels that this modification can be performed in conformance with the applicable test procedures, please so indicate and we will consider our test method not to be a modified method within the terms used in the permit. If, on the other hand, some type of formal approval is necessary beyond the oral approval received to date, please advise as to when that approval would be forthcoming so that the permit is consistent with the test procedure we envision using.

Mr. Raymond Seid - 2
September 13, 1979

With regard to the statement in Part III of the permit related to the possibility of filing a new NPDES application in the event of treatment modifications, please be advised that Van Camp feels this is an unduly burdensome requirement. As we discussed, apparently this language was inserted to deal with possible Agency concerns related to the various kinds of chemicals used in achieving chemical optimization and improved DAF performance. We would, therefore, be willing to advise the Agency each month if the chemicals or dosage of chemicals change significantly. We trust you would find this procedure acceptable for your purpose, and we would certainly prefer it to having to file a formal NPDES permit application each time we wanted to change the chemicals used in DAF treatment, or readjust their dosage levels. I am sure that you agree with us that this was not the intent of the language in Part III.

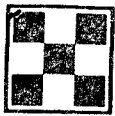
We trust that these comments will be favorably received by the Agency, and we look forward to receiving the final permit, incorporating these changes. Further, we understand that we will be receiving the appropriate water quality certification from American Samoa. In the event that you have any information to the contrary with regard to water quality certification, please contact me immediately so that we can work out any potential problem. Thank you very much.

Sincerely,



Frank H. Hackmann
Director, Environmental Affairs

cm1



Ralston Purina
Company



U.S.E.P.A.
REGION 9
COMM. OFF.

SEP 7 11 5-
September 4, 1979

Mr. Matthew Walker
Enforcement Hearing Officer
US Environmental Protection Agency
215 Fremont Street
San Francisco, California 94105

Dear Matt:

Conversation with Judge Jones - Adjudicatory Hearing

Judge Jones' office advised today that an order continuing our adjudicatory hearing until November 28 will be issued this week. That order will also require a status report from the parties by September 28.

I indicated to Judge Jones' office that we still anticipated satisfactory resolution of this matter and receipt of an actual final permit before November 28. Hopefully, we can, as of our September 28 status report date, indicate that all permit terms and conditions have been agreed upon.

Should you have any questions, please advise at your convenience. Thank you.

Sincerely,

Frank H. Hackmann
Director, Environmental Affairs

cm1

*Permit not issued, can be signed by
21 Sept 79, effective 22 Oct 79, close case
before 28 Nov 79,*

*Copy of E-4-2
11 Sept 79*

In Reply E-2
Refer to: HEA-1-1

Mr. Frank H. Hackmann
Director, Environmental Affairs
Ralston Purina Company
Checkerboard Square
St. Louis, MO 63188

JUL 25 1979

Subject: Ralston Purina Company, American Samoa
NPDES Permit No. AS0000027 - Docket
No. 141.34(W)

Dear Mr. Hackmann:

Thank you for your letter of July 6, 1979. You made several comments and requested our reply.

As to your comment numbered 1: The new NPDES permit will be issued under the same ID number as the present permit and will specify the same effluent limits. BOD5 monitoring may be retained on a reduced frequency.

As to your comment numbered 2: The time period for concentration testing will be the same unless production is expanded requiring longer operating hours. In that case, additional monitoring may be required.

As to your comment numbered 3: Effluent limits are applied to present and future discharges. Reissued permit conditions are not retroactive. Some of the limits in the present permit have been suspended in the adjudicatory hearing. No enforcement action is contemplated for discharges exceeding the limitations of suspended conditions.

As to your comment numbered 4: In the absence of guidelines, effluent limitations are made on the basis of "best engineering judgment". This is done on a case-by-case basis. Thus, there is no "automatic" revision of any permit based on the conditions of some other permit. The permittee is not precluded from requesting a modification of an outstanding permit based on new information, which may be another permit to a similar facility. We would consider such an application and would, in acting on it, treat all similar facilities alike.

Mr. Frank H. Hackmann

Page 2

As to your comment numbered 5: This concurs with our understanding.

Your proposal for an increased rate of production is being considered by the Permits Branch.

The draft permit is now in preparation and we expect that it will soon be sent to public notice. You will receive a copy at that time and we anticipate that you will find it satisfactory.

Sincerely yours,

Original Signed by:
Matthew S. Walker

Matthew S. Walker
Senior Attorney
Enforcement Division

bc:→E-4
E-5

701 52 3 00 00 00

00

00 00 00 00 00

ROUTING AND TRANSMITTAL SLIP

Date

17 July 79

TO: (Name, office symbol, room number,
building, Agency/Post)

Initials

Date

1. ~~Durst~~ ~~E-4-2~~ *Thur* 7-18-79

2. Ray - attached Fyi &

3. inclusion in file

4.

5.

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
X Comment	Investigate	Signature
Coordination	Justify	

REMARKS

Attached is a letter I just received from Hackmann of Ralston Purina.

As to his comment 4: I understand that we intend that RP and Starkist have the same permit numbers, but that we don't want to have the permit "automatically" amended because of procedural requirements.

Please let me have any comments by 20 July 79 so that I can reply.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

MSW E-2

Room No.—Bldg.

Phone No.

5041-102

OPTIONAL FORM 41 (Rev. 7-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.206

6-18-79

MATT - RE ATTACHED the following comments:

- Para 1. - Assuming he is referring to NPDES Permits, yes the new (reissued) permits will have the same ID number as presently for discharges. Effluent limits will also be unchanged. We may retain BOD monitoring at a reduced frequency.
- Para 2. - Time Frame (i.e. 8A-4p) is satisfactory unless production is expanded requiring longer operating hours, in which case monitoring will be req'd to covered extended operating time.
- Para 3. - I am not sure I understand this statement. Effluent limits are applicable to all present & future discharges. Reissued permit conditions are not retroactive.
- Para 4. - B.E.I. determinations w/p of 3402(a)(1) are case by case determinations, not uniform standards. This is by definition. We will not automatically revise or modify a specific permit that is

"non-guideline" but is best engineering judgement simply because another facility has different limits. The permittee is, however, not precluded from requesting a modification based on new information. We would consider and make a determination to grant or deny the application.

Para 5. - No comment

Draft permit is currently under preparation by Ray Seid of my staff. You may contact him if you wish additional information.

A handwritten signature in dark ink, appearing to be "J. Seid" or similar, with a stylized flourish at the end.



Ralston Purina
Company

July 6, 1979

SEP 4
1979

Mr. Matthew S. Walker
Senior Attorney
Enforcement Division
United States Environmental Protection Agency
Region IX
215 Fremont Street
San Francisco, California 94105

Dear Mr. Walker:

NPDES Permit No. AS0000027 - Docket No. 141.34(W)

I apologize for my delay in responding to your letter dated June 5, but as I indicated to you in our meeting in San Francisco, I was out of the office when the letter was sent.

We have the following comments on your letter:

1. We believe the new permit should have the same numbers as the current permit on effluent limitations (we recognize that perhaps BOD would be dropped as a monitoring parameter).
2. We agree concentration testing will be done by sampling during the period between 8:00 a.m. and 4:00 p.m.
3. We agree that the numbers would be applied prospectively.
4. We believe that should any other tuna canner who does not have a fish solubles plant receive numbers higher than the ones we have agreed to, we should automatically be entitled to those higher numbers. Specifically, we were concerned with your inference that we might not be entitled to such additional relief automatically.
5. We agree that upon satisfactory resolution of the pending adjudicatory hearing, and the issuance to us of a new permit consistent with that settlement, we will not proceed with our pending Ninth Circuit Case, Docket No. 79-7013.

In separate conversations with representatives of the technical staff, we anticipate no problem receiving permission in our new permit to process fish at a 250 ton/day rate. There is no reason to expect that this would have an adverse impact upon the DAF performance as the unit currently is only running between 12-14 hours/day.

Mr. Matthew S. Walker - 2
July 6, 1979

We trust that a reply confirming these points, coupled with the fact sheet and proposed permit renewal, will be issued to us shortly.

Please advise me if you have any questions. Thank you.

Sincerely,



Frank H. Hackmann
Director, Environmental Affairs
(314) 982-2619

cm1

Environmental Protection Agency
Region III
215 Chestnut
Philadelphia, PA 19106

MAIL PROCESSED BY
EPA MAILROOM RES 12

In Reply E-2
Refer to: HEA-1-1

Mr. Frank Hackmann
Director, Environmental Affairs
Ralston Purina Company
Checkerboard Square
St. Louis, MO 63188

JUN 20 1979

Subject: Ralston Purina Company, American Samoa
NPDES Permit No. AS0000027 - Docket
No. 141.34(W)

Dear Mr. Hackmann:

On June 19, 1979, when you were in our offices, you mentioned that Van Camp Samoa was planning to increase its production rate and might put on two shifts at its plant at Pago Pago, American Samoa. I have discussed this with the Permits Branch. They advise that the new NPDES permit is being prepared on the basis of the information from you that they have in hand. If there is to be a change in the permit they will need to have new information promptly. If the change is in the future, then the new information should be submitted as an application for a modification of the permit whenever you are ready to have it considered.

Sincerely yours,

Original Signed by:
Matthew S. Walker

Matthew S. Walker
Senior Attorney
Enforcement Division

bc: →E-4
E-5

Environmental Protection Agency
Region III
215 Chestnut
Philadelphia, PA 19106

MAIL PROCESSED BY
EPA MAILROOM RES

In Reply E-2
Refer to: HEA-1-1

Mr. Frank Hackmann
Director, Environmental Affairs
Ralston Purina Company
Checkerboard Square
St. Louis, MO 63188

JUN 20 1979

Subject: Ralston Purina Company, American Samoa
NPDES Permit No. AS0000027 - Docket
No. 141.34(W)

Dear Mr. Hackmann:

On June 19, 1979, when you were in our offices, you mentioned that Van Camp Samoa was planning to increase its production rate and might put on two shifts at its plant at Pago Pago, American Samoa. I have discussed this with the Permits Branch. They advise that the new NPDES permit is being prepared on the basis of the information from you that they have in hand. If there is to be a change in the permit they will need to have new information promptly. If the change is in the future, then the new information should be submitted as an application for a modification of the permit whenever you are ready to have it considered.

Sincerely yours,

Original Signed by:
Matthew S. Walker

Matthew S. Walker
Senior Attorney
Enforcement Division

bc: →E-4
E-5

TELEPHONE CONVERSATION OR VISITOR REPORT

Date 16 May 79 Time 0915T

Call From: Frank Hackmann
Ralston-Purina

Routing: 1 E-1 3 E-5

2 ~~E-2~~

File :

Copy to: Ted
Kramer
FYI

To : RSV

Subject : Van Camp Samoa

SUMMARY :

Hackmann says that his experts have just come back from American Samoa and that "things are going much better now than they were in February". He wants to to talk settlement.

I have scheduled a conference for Tuesday at 10:00am 22 May 79 in the American Samoa Room, 6th floor.

TELEPHONE CONVERSATION OR VISITOR REPORT

Ted- lets move the new permit
Date 23 May 79 Time 1145T

Call From: Frank Hackmann
Ralston-Purina
Van Ca mp-Samoa

Routing: 1 ~~GAS~~ 3
2 Seid 4

To : MSW

File : ~~MS~~

Copy to: E-1; ~~E-4~~; E-5.

Subject : NPDES Adjudicatory Hearing

SUMMARY : Hackmann called to say that R-P agreed to the terms worked out at our conference yesterday.

Walker to call Judge Jones and advise him that the case is settled. (done)

Hackmann will call Judge Jones later today to say the same.

Hackmann will write to Judge Jones withdrawing the request for adjudicatory hearing.

The existing permit to continue under the provisions of the Administrative Procedure Act.

New permit to be issued expeditiously with the same numbers as the existing permit:

BOD = 30
TSS = 3.3
O&G = 0.84

concentration test to be 8 am to 4 pm for sampling

#'s to be applied prospectively

no need for an adjudicatory hearing

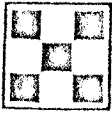
If effluent guidelines are revised then R-P may apply for relief to use the same numbers.

If other means of relief afforded then R-P to have opportunity to be treated the same as Starkist.

The problem of the water quality standards to be handled between GAS and R-P.

Sludge handling to be a problem between R-P and GAS except that EPA may be involved if the solution is ocean dumping.

###



Ralston Purina
Company

U.S. E.P.A.
REGION 9
SAN FRANCISCO
OFFICE

May 24, 1979

175

The Honorable Marvin E. Jones
Administrative Law Judge
Environmental Protection Agency
Region 7
324 East 11th Street
Kansas City, Missouri 64106

Dear Judge Jones:


Adjudicatory Hearing Request
Ralston Purina Company, Van Camp Seafood Division
American Samoa

Confirming our telephone conversation, please be advised that a tentative settlement has been reached between ourselves and the Environmental Protection Agency Region 9 related to the appropriate total suspended solids and oil and grease limitations for our American Samoa tuna cannery. Therefore, in expectation of written confirmation and future action taken in accordance with this agreed upon settlement, we are hereby requesting a continuance of our request for an adjudicatory hearing on the appropriate total suspended solids and oil and grease limits for our American Samoa tuna cannery, pending written confirmation of the settlement.

We understand that Mr. Matthew Walker, Senior Attorney, Enforcement Division, of Region 9, has already advised you as well that the matter has been settled orally and that acceptable permit limits and other conditions of settlement have been mutually agreed to but not yet reduced to writing. We anticipate no problem in receiving written confirmation on this matter.

Should you have any questions, please advise at your convenience. It was a pleasure working with you in this matter.

Sincerely,


Frank H. Hackmann
Director, Environmental Affairs
(314) 982-2619

cm1

cc: Mr. Matthew S. Walker
EPA Region 9

ENVIRONMENTAL PROTECTION AGENCY

324 EAST 11TH STREET
KANSAS CITY, MISSOURI 64106

BY E.B.A.
REGION IX
FMM CENTER

MAY 31 11:15 AM '79

E-4

May 29, 1979

Mr. Frank H. Hackmann
Director, Environmental Affairs
Ralston Purina Company
Checkerboard Square
St. Louis, Missouri 63188

Mr. Matthew Walker, Attorney
Enforcement Hearing Officer (E-2)
US Environmental Protection Agency
215 Fremont Street
San Francisco, California 94105

Re: Ralston Purina Company
American Samoa
Docket No. 141.34(W)
NPDES Permit No. AS-0000027

Gentlemen:

I acknowledge contact by Mr. Walker on Wednesday May 23, and Mr. Hackmann's letter of May 24, confirming that settlement has been reached orally on subject permit provisions resolving the remaining issues outstanding; and that said agreement will be reduced to writing in the near future.

Accordingly, pursuant to request of the parties, the Adjudicatory Hearing now scheduled for June 19, 1979, is hereby continued to Wednesday, September 12, 1979. The time and place of said Hearing will be announced at a later date. The date for filing written direct testimony and the other information (as provided by my letter of February 16) is hereby extended to August 17, 1979.

The parties are hereby commended for their efforts in effecting resolution of the issues herein and I trust that the written settlement document will be concluded in the near future.

Sincerely yours,



Marvin E. Jones
Administrative Law Judge

cc: Ms. Lorraine Pearson, Regional Hearing Clerk, US Environmental Protection Agency, 215 Fremont Street, San Francisco, California 94105
Mr. Steve Watson, Asst. Atty General, Government of American Samoa, Office of the Governor, Pago, Pago, American Samoa 96799

Environmental Protection Agency
Region IX
215 Fremont
San Francisco, Ca. 94106

In Reply E-2
Refer to: HEA-1-1

Mr. Lyle L. Richmond
Chairman, Environmental Quality Commission
Office of the Governor
Pago Pago, American Samoa 96799

Subject: Ralston Purina Company, American Samoa
NPDES Permit No. AS0000027 - Docket
No. 141.34(W)

Dear Mr. Richmond:

JUN 5 1979

I am pleased to advise you that we have been able to settle the above-subject adjudicatory hearing matter with Van Camp Samoa on very favorable terms. Van Camp has accepted a new permit to be issued on essentially the same terms as the permit that they had contested. Under the provisions of the Administrative Procedure Act (5 USC 558) Van Camp's present permit continues in effect until the new permit is issued.

Because of this development, the hearing that was scheduled for the 19th of June will not go on. The Administrative Law Judge has continued it until 12 September 1979, but this is to keep the action open until all the paper work has been completed.

The problem of sludge disposal is not addressed in the settlement since this is not within the scope of the adjudicatory hearing. Incomplete applications for ocean dumping permits have been received from both Van Camp and Starkist. The companies have been advised of the elements needed to make the applications complete. EPA will act promptly on them when they are completed.

Mr. Pati Faiai and Mr. Tau Vaivai visited the EPA offices last week and these matters were discussed with them.

Enclosed for your information are copies of recent correspondence on this subject.

Sincerely yours,
Original Signed by:

Matthew S. Walker

Matthew S. Walker
Senior Attorney
Enforcement Division

Enclosures

bc: (E-4) E-5

Environmental Protection Agency
Region IX
211 Fremont
San Francisco, Ca. 94105

In Reply E-2
Refer to: HEA-1-1

Mr. Frank H. Hackmann
Director, Environmental Affairs
Ralston Purina Company
Checkerboard Square
St. Louis, MO 63188

JUN 5 1979

Subject: Ralston Purina Company, American Samoa
NPDES Permit No. AS0000027 - Docket
No. 141.34(W)

Dear Mr. Hackmann:

I am writing to confirm EPA, Region IX's understanding of the terms agreed upon.

You will withdraw your request for an adjudicatory hearing on NPDES Permit No. AS0000027 issued to Van Camp Samoa. This permit expired by its terms June 1, 1979.

You have made timely application for a renewal of the permit, and this application is now being processed. It is recognized that under the provisions of the Administrative Procedure Act (last paragraph of 5 USC 558) the permit does not legally expire until the application has been acted upon. Thus, your present permit continues in effect until then.

A new permit, substantially the same as the existing permit, will be issued in due course. It will have the same "numbers": BOD₅ = 30; TSS = 3.3; O&G = 0.84. Concentration testing will be done by sampling in the same manner as the existing permit; i.e., 8:00 A.M. to 4:00 P.M. sampling. The numbers will be applied prospectively; i.e., no enforcement action will be taken for exceedences of these numbers that were observed prior to this settlement.

If the guidelines for the tuna processing industry are revised, or if other relief is somehow afforded to other tuna processing plants, this will be considered to be new information that will, on application, warrant a review and possible modification of the new permit.

Mr. Frank H. Hackmann

Page 2

There is a petition now pending in the U.S. Court of Appeals for the Ninth Circuit, Docket No. 79-7013, seeking a review of the action of the Administrator in denying a variance for fundamentally different factors. This will now be moot, and you will move to have it dismissed.

Please advise me promptly if you have any differences with this statement of our conference.

Thanking you for your cooperation,

Sincerely yours,

Original Signed by:
Matthew S. Walker

Matthew S. Walker
Senior Attorney
Enforcement Division

bc: ➤E-4
E-5



AMERICAN SAMOA GOVERNMENT
PAGO PAGO, AMERICAN SAMOA 96799
OFFICE OF THE ATTORNEY GENERAL

In reply, refer to
Serial:661

May 27, 1980

Honorable Marvin E. Jones
Administrative Law Judge
Environmental Protection Agency
Kansas City, Missouri 64106

Re : Ralston Purina NPDES Permit No. 0000027
Star Kist NPDES Permit No. 0000019

Dear Judge Jones:

Please be advised that due to my undertaking different responsibilities with the American Samoa Government, all future contact on the subject matters should be with Lyle L. Richmond, Chairman, Environmental Quality Council, Office of the Governor, Pago Pago, American Samoa 96799.

Thank you for your considerate attention to this matter.

Very truly yours,

STEVEN H. WATSON
Assistant Attorney General

c : Matthew Walker)
Frank H. Hackmann, Van Camp
Dave Ballands, Star Kist
Environmental Quality Council

SHW/ave

Environmental Protection Agency
Region 4
815 Fremont St.
San Francisco, Ca. 94108

In Reply E-2
Refer to: HEA-1-1

Honorable Marvin E. Jones
Administrative Law Judge
Environmental Protection Agency
324 East 11th Street
Kansas City, MO 64106

File

8 MAY 1980

Subject: Ralston Purina Company, American Samoa
NPDES Permit No. AS0000027 - Docket No.
141.34(W)

Dear Judge Jones:

We expected to have the subject evidentiary hearing resolved by now and have indeed issued a modified permit that should have closed the matter. I regret to report that because of a clerical error one page from a permit to Star Kist was mistakenly inserted in the Ralston Purina permit and vice versa. Since it will be necessary to modify the permits as issued, the final effective date and the final resolution of the subject proceeding will be delayed at least 60 days.

Sincerely yours,

Original Signed by:
Matthew S. Walker

Matthew S. Walker
Senior Attorney
Enforcement Division

cc: Mr. Frank Hackmann
Mr. Steven H. Watson
Regional Hearing Clerk

bc: →E-4
E-5

In Reply E-2
Refer to: HES-1-1

Mr. Frank A. Hackmann
Director, Environmental Affairs
Ralston Purina Company
Checkerboard Square
St. Louis, MO 63188

Subject: Ralston Purina Company, American Samoa
NEPDES Permit No. AS0000027 - Docket No.
141.34(W)

Dear Mr. Hackmann:

The modified permit in the above matter has been issued, and the time for requesting an evidentiary hearing on the modification of the permit has elapsed. No such request has been received.

All of the issues in the pending evidentiary hearing have been resolved by the modification so there is nothing to adjudicate.

We will appreciate it if you will by letter, motion, or other means, withdraw your request for evidentiary hearing in Docket 141.34(W) so that the file can be closed.

Sincerely yours,

Original Signed by:
Matthew S. Walker
Matthew S. Walker
Senior Attorney
Enforcement Division

bc: E-4
E-5

Environmental Protection Agency
Office of Enforcement
Washington, D.C. 20460

In Reply E-2
Refer to: HEA-1-1

Mr. Frank Hackmann
Director, Environmental Affairs
Ralston Purina Company
Checkerboard Square
St. Louis, MO 63188

Subject: Ralston Purina Company, American Samoa
NPDES Permit No. AS0000027 - Docket No.
141.34(W)

Dear Mr. Hackmann:

As requested in your telephone conversation on March 12, 1980, enclosed is a copy of letter dated February 26, 1980, from the Government of American Samoa.

This is the letter that I referred to in my letter to Judge Jones dated March 6, 1980.

Sincerely yours,

Original Signed by:
Matthew S. Walker

Matthew S. Walker
Senior Attorney
Enforcement Division

Enclosure

bc: → E-4
E-5

WV 18 5 20 PM '80

In Reply E-2
Refer to: NEA-1-1

Honorable Marvin E. Jones
Administrative Law Judge
Environmental Protection Agency
324 East 11th Street
Kansas City, MO 64106

Subject: Ralston Purina Company, American Samoa
NPDES Permit No. AS0000027 - Docket
No. 141.34(W)

Dear Judge Jones:

The Permits Branch has received correspondence from the Government of American Samoa that states conditions for monitoring of the effluent under the proposed modification of the subject permit. If, after review, these conditions are found to be acceptable, we propose to incorporate them in the permit and issue it. The permittee, Ralston Purina, should then withdraw its request for an adjudicatory hearing and the matter can be closed. I believe that this can be accomplished before the end of April 1980.

Sincerely yours,

Original Signed by:
Matthew S. Walker

Matthew S. Walker
Senior Attorney
Enforcement Division

cc: Mr. Frank Hackmann
Mr. Steven H. Watson
Regional Hearing Clerk

bc: ➔ E-4
E-5

APR 8 3 35 PM '80

RECEIVED



GOVERNMENT OF AMERICAN SAMOA
OFFICE OF THE GOVERNOR

PAGO PAGO, AMERICAN SAMOA 96799

February 26, 1980

RECEIVED
A REGION IX

MAR 3 1 06 PM '80

Serial: 206

David Howekamp
Chief, Permits Branch
Enforcement Division
Environmental Protection Agency
Region IX
215 Fremont Street
San Francisco, California 94108

Re: Your file number E/4/2
861.C

Dear Mr. Howekamp:

We are writing in response to your letter of October 15, 1979, which was routed to us on January 30, 1980. We received it in early February, and we now respond to your comments.

As to your third paragraph, we think it mandatory that additional monitoring for total phosphorus and organic nitrogen, on monthly basis, be undertaken to establish the quantity and quality of these materials in the discharge. Absent this requirement written into the permit, we will have to refuse certification.

As to the fourth paragraph of your letter dealing with monitoring requirements for total suspended solids and oil and grease, we are not satisfied with one day a week testing. As you know, a few months ago we did composite testing on three consecutive days and discovered substantial day-to-day variations in effluent quality. Therefore, we must insist upon testing on at least two days per week to provide us with information truly representative of performance.

Otherwise, we are satisfied with your letter of October 15th and are willing to approve the permit, subject to the qualifications noted herein.

Very truly yours,

Pati Faiai (M.A.)

PATI FAIAI, Executive Secretary
Environmental Quality Commission

cc: Members, EQC
Steve Watson - A.G.

western union

Telegram

1979 NOV 23 PM 7:24

CF32 6(2215) (1-222215G32 7)PD 11/23/79 22 12

ICS IPMIIHA IISS

IISS FM RCA 23 2212

PMS SAN FRANCISCO CA

WUB3716 ASH991

URIX CY SBJD 079

PAGOPAGO AS 79/77 USG 240041GMT VIA RCA

ETAT

MATTHEW S. WALKER SENIOR ATTORNEY ENFORCEMENT DIVISION

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX 215 FREMONT STREET

SAN FRANCISCO (CA 94105)

WITH REGARD TO MY LETTER OF NOVEMBER 15, 1979 SUBJECT

RALSTON PURINA NPDES PERMIT NO. AS-0000027, TO STAR

KIST NPDES PERMIT NO. AS-0000019. THAT IS, AS TO

BOTH DRAFT PERMITS ASG REFUSES TO CERTIFY. LETTER TO

*Recd EPA, Region IX,
Enforcement Division
Nov 26, 1979,
10:00 A.M.
L.P.*




western union

Telegram

FOLLOW

STEVEN H. WATSON, ASSISTANT ATTORNEY GENERAL GOVAM SAMOA

SENDS

COL IX 215 15, 1979 NPDES AS-0000027, AS-0000019. H.

NNN

NNNN



Telegram

SFB295(2119)(1-2133906320)FL 11/16/79 2118

1979 11 16 10 56

ICS IPMIIHA IISS

IISS FM RCA 16 2118

FMS SAN FRANCISCO CA

WUB4915 ASH807

URIX CY SBJD 056

PAGOPAGO AS 56/52 USG 014444Z

ETAT

MATTHEW S. WALKER SENIOR ATTORNEY ENFORCEMENT
DIVISION UNITED STATES ENVIROMENTAL PROTECTION
AGENCY REGION IX 215 FREMONT STREET
SAN FRANCISCO (CALIF 94105)

RE: YOUR CORRESPONDENCE OF OCTOBER 27, 1979, SUBJECT
NFDES PERMIT NO. ASC0000027 DOCKET NO. 141.34(W) AM
SAM GOV. REFUSES TO CERTIFY PERMIT CORRESPONDENCE
MAILED THIS DATE STEVE WATSON ASSIST ATTY GENERAL SENDS

SF-1201 (R5-69)



Telegram

COL ETAT 215 27, 1979 ASC0000027 NO. 141.34(W)

NNN

NNNN



AMERICAN SAMOA GOVERNMENT
PAGO PAGO, AMERICAN SAMOA 96799
OFFICE OF THE ATTORNEY GENERAL

In reply refer to
Serial:1605

November 16, 1979

Matthew S. Walker
Senior Attorney
Enforcement Division
United States Environmental Protection Agency
Region IX, 215 Fremont Street
San Francisco, California 94105

Re : Ralston Purina Company, American Samoa
NPDES Permit No. AS0000027-Docket No.
141.34 (W)

Dear Mr. Walker:

Your letter of 27 October 1979 to Judge Jones inferred that American Samoa Government had not responded to the Public Notice of August 10, 1979. Attached please find a copy of the reply sent to Mr. Howekamp, Chief of the Permit Branch Enforcement Division.

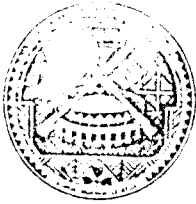
Please consider this a refusal to certify the permit.

Very truly yours,

STEVEN H. WATSON
Assistant Attorney General

cc : Environmental Quality Commission

SHW/ave



AMERICAN SAMOA GOVERNMENT
OFFICE OF THE GOVERNOR
PAGO PAGO, AMERICAN SAMOA 96799

Serial:2200

September 11, 1979

Mr. David Howarth, Chief
Permit Branch Enforcement Division
EPA Region IX
215 Fremont Street
San Francisco, California 94105

Dear Mr. Howarth:

The Environmental Quality Commission of the Government of American Samoa has reviewed the proposed NPDES permits for Star-Kist Samoa, AS0000019, and Van Camp Seafood Company, AS0000027, that are located on Tutuila, American Samoa and release effluents to Pago Pago Harbor. There are several comments we would like to make.

The requirement for BOD removal has been dropped. We are cognizant of the fact that the treatment facilities at these plants are not designed to remove dissolved organic material. However, by not including BOD in the permit conditions the implication is that BOD is not an important parameter for assuring effluent quality. You are well aware of the great potential for oxygen depletion and subsequent degradation of Pago Pago Harbor associated with effluents with organic contents of the magnitude of those of the canneries. Some measure of organic load released to the harbor should be included as a permit condition.

Does EPA consider the level of treatment currently given to the canneries effluent sufficient to protect the quality of the receiving water? There is no mention of treatment systems improvement in the permit. What is the status of the canneries in regard to the "best available treatment" requirements of Public Law 92-500?

There is no requirement for the analysis of nutrients, in particular phosphorous and nitrogen compounds, in the cannery effluents. Although they will not be removed during treatment, the canneries should be required to monitor these compounds so that the extent of their release from these point sources can be established. Algal blooms have been observed in Pago Pago Harbor.

The requirement to monitor the effluent for total suspended solids and oil and grease on a weekly basis is inadequate. The recent compliance sampling inspection indicated that although the treatment plants at the canneries are well operated, they are subject to breakdown and fluctuations in flow rate that result in variable effluent quality. Composite sampling each day the canneries are in operation would be more appropriate

Page 2-Mr. David Bowdary, Chief-Serial 1253-9/11/77

in establishing a realistic measure of the quality of the effluents.

The production limit at Star-Kist has been increased to 210 tons/day of seafood. The allowable discharge in pounds per pound of seafood processed remains the same. However, the allowable 30-day average limitation has not increased. Is this an oversight?

The preservation of Pago Pago Harbor is essential for the economic growth of American Samoa. It is our intention to maintain the vitality of this majestic harbor.

We anticipate your cooperation and look forward to working with the canneries toward this mutually beneficial goal.

Sincerely,

PATT PAIAI, Executive Secretary
Environmental Quality Commission

ROUTING AND TRANS TAL SLIP

Date

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. <i>E-4</i>		
2. <i>[Signature]</i>		
3. <i>[Signature]</i>		
4. Roy - pls file w/ permits		
5. <i>[Signature]</i>		

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post) <i>E-2</i>	Room No.—Bldg.
	Phone No.

5041-102

OPTIONAL FORM 41 (Rev. 7-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.206

In Reply E-2
Refer to: IEA-1

27 OCT 1979

Honorable Marvin E. Jones
Administrative Law Judge
Environmental Protection Agency
324 East 11th Street
Kansas City, MO 64106

Subject: Ralston Purina Company, American Samoa
NPDES Permit No. AS0000027 - Docket No.
141.34(W)


Dear Judge Jones:

I am advised by the Permits Branch, EPA, Region IX, that the NPDES Permit in the above-referenced matter was sent out to public notice on 10 August 1979. At the same time it was sent to the Government of American Samoa.

The Government of American Samoa has as yet neither "certified" nor refused to certify the permit. If neither occurs, we will deem that the Government of American Samoa has waived certification pursuant to 40 CFR 125.15(a) three months after it was requested to certify, or about the middle of November 1979. At that time we expect to issue the modified permit.

Ralston-Purina has said that it will withdraw its request for an adjudicatory hearing when the modified permit has been issued.

Sincerely yours,


Matthew S. Walker
Senior Attorney
Enforcement Division

cc: Mr. Frank Hackmann
Mr. Steve Watson
Regional Hearing Clerk, Region IX

bc:->E-4
E-5

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Environmental Protection Agency

Region IX

218 Fremont St.

San Francisco, Ca. 94108

In Reply E-4-2

Refer to: 861.C

Mr. Pati Faiai, Executive Secretary
Environmental Quality Commission
Territory of American Samoa
Office of the Governor
Pago Pago, American Samoa 96799

OCT 15 1979

Dear Mr. Faiai:

This is in response to your letter (serial #1253) dated September 11, 1979 commenting on the proposed issuance of NPDES permits to the Van Camp and Star-Kist canneries in American Samoa.

With regard to the numerical effluent limitations for BOD₅ which have been deleted from the permits, Effluent Guidelines Division, EPA Headquarters withdrew these limitations from the tuna subcategory on August 6, 1979. The basis for this decision was that such limitations could not be supported by the level of technology (non-optimized DAF systems) designated as Best Practicable Control Technology Currently Available (BPTCA). This office has, however, required the dischargers to continue with the monitoring and reporting requirements for this parameter.

We agree that nutrients in Pago Pago harbor may contribute to algal blooms as you have described and recognize that the cannery effluents may contribute to this problem. We are considering the desirability of incorporating additional monitoring requirements for total phosphorous and organic nitrogen, on a monthly basis, to establish the quantity and quality of these materials in the discharges. These requirements may be incorporated in the finally issued permits.

With respect to the monitoring requirements for total suspended solids (TSS) and oil and grease (O&G), we have reviewed these and have determined weekly analysis to be adequate to assure proper operation. Continual flow rate monitoring plus composite sampling for TSS on a weekly basis (from 8:00 AM to 9:00 PM on sampling days) will, in our opinion, be truly representative of performance. A weekly

CONCURRENCES

SYMBOL

SURNAME

DATE

EPA Form 1320-1 (12-70)

OFFICIAL FILE COPY

discrete sample for O&G analysis will provide data to determine compliance with this limitation.

EPA's determination of appropriate effluent limitations is based upon applicable guidelines defined by BPT as stated earlier. This determination is not limited to consideration only of water quality of receiving water, but represents a minimum level of treatment as required by law. As you are aware, the Government of American Samoa is not precluded from specifying additional more stringent requirements, if they are deemed necessary, to protect the beneficial uses of the receiving waters. This may be accomplished by adopting specific water quality standards for the areas of concern. The advantages of this process have been discussed before in connection with these and other dischargers to Pago Pago Harbor.

The pollutants contained in the canneries' discharges are defined as conventional pollutants and are subject to consideration under a new level of control identified as "Best Available Control Technology Economically Achievable" (BACTEA). This new classification is defined in Section 304(b)(4) of the Clean Water Act of 1977 (CWA). For conventional pollutants BAT levels are subject to evaluation under several criteria relating to the cost/benefit of additional more stringent levels of treatment. For the tuna canneries it is believed that levels in excess of BPT (BCPCT) currently effective will not be required by the EPA. Again, however, this does not prevent GAS from specification of more stringent standards if required for water quality reasons.

We have carefully reviewed the proposed permit for Star-Kist and have corrected the error which you noted with respect to production rates and the allowable 30 day average limitations. Thank you for bringing this error to our attention. Should you note other such inconsistencies in the future please do not hesitate to advise us of necessary corrections.

We have given careful consideration to your comments and appreciate your concern that well designed permits be issued. It is our opinion that, as proposed and with minor monitoring revisions, these permits will act to minimize any further degradation of the waters of Pago Pago Harbor. As the GAS develops and adopts additional water quality based standards,

discrete sample for O&G analysis will provide data to determine compliance with this limitation.

EPA's determination of appropriate effluent limitations is based upon applicable guidelines defined by BPT as stated earlier. This determination is not limited to consideration only of water quality of receiving water, but represents a minimum level of treatment as required by law. As you are aware, the Government of American Samoa is not precluded from specifying additional more stringent requirements, if they are deemed necessary, to protect the beneficial uses of the receiving waters. This may be accomplished by adopting specific water quality standards for the areas of concern. The advantages of this process have been discussed before in connection with these and other dischargers to Pago Pago Harbor.

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We have given careful consideration to your comments and appreciate your concern that well designed permits be issued. It is our opinion that, as proposed and with minor monitoring revisions, these permits will act to minimize any further degradation of the waters of Pago Pago Harbor. As the GAS develops and adopts additional water quality based standards,

such standards may be incorporated in these or future permits.

I trust we have responded adequately to your concerns and we will proceed to issue these two permits within the next two weeks unless we hear further from your office.

Sincerely,



ORIGINAL SIGNED BY:
DAVID P. HOWEKAMP

David P. Howekamp
Chief, Permits Branch
Enforcement Division

bc : ~~XXXXXXXXXX~~
W-L, Pardick

Reading file/Com. Center
SEID/FAIAI:jd:l
10/11

001 12



AMERICAN SAMOA GOVERNMENT
OFFICE OF THE GOVERNOR
PAGO PAGO, AMERICAN SAMOA 96799

Serial:1253

September 11, 1979

Mr. David Howekamp, Chief
Permit Branch Enforcement Division
EPA Region IX
215 Fremont Street
San Francisco, California 94105

Dear Mr. Howekamp:

The Environmental Quality Commission of the Government of American Samoa has reviewed the proposed NPDES permits for Star-Kist Samoa, AS0000019, and Van Camp Seafood Company, AS0000027, that are located on Tutuila, American Samoa and release effluents to Pago Pago Harbor. There are several comments we would like to make.

The requirement for BOD removal has been dropped. We are cognizant of the fact that the treatment facilities at these plants are not designed to remove dissolved organic material. However, by not including BOD in the permit condition, the implication is that BOD is not an important parameter for ascertaining effluent quality. You are well aware of the great potential for oxygen depletion and subsequent degradation of Pago Pago Harbor associated with effluents with organic contents of the magnitude of those of the canneries. Some measure of organic load released to the harbor should be included as a permit condition.

Does EPA consider the level of treatment currently given to the canneries effluent sufficient to protect the quality of the receiving water? There is no mention of treatment systems improvement in the permit. What is the status of the canneries in regard to the "best available treatment" requirements of Public Law 92-500?

There is no requirement for the analysis of nutrients, in particular phosphorous and nitrogen compounds, in the cannery effluents. Although they will not be removed during treatment, the canneries should be required to monitor these compounds so that the extent of their release from these point sources can be established. Algal blooms have been observed in Pago Pago Harbor.

The requirement to monitor the effluent for total suspended solids and oil and grease on a weekly basis is inadequate. The recent compliance sampling inspection indicated that although the treatment plants at the canneries are well operated, they are subject to breakdown and fluctuations in flow rate that result in variable effluent quality. Composite sampling each day the canneries are in operation would be more appropriate

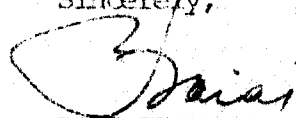
in establishing a realistic measure of the quality of the effluents.

The production limit at Star-Kist has been increased to 210 tons/day of seafood. The allowable discharge in pounds per pound of seafood processed remains the same. However, the allowable 30-day average limitation has not increased. Is this an oversight?

The preservation of Pago Pago Harbor is essential for the economic growth of American Samoa. It is our intention to maintain the vitality of this majestic harbor.

We anticipate your cooperation and look forward to working with the canneries toward this mutually beneficial goal.

Sincerely,



PATI FALAI, Executive Secretary
Environmental Quality Commission

Environmental Protection Agency
Region IX
215 Fremont St.
San Francisco, Ca. 94105

October 17, 1979

Mr. Maurice H. Taylor
Field Supervisor
Division of Ecological Services
U.S. Department of the Interior
Fish and Wildlife Service
300 Ala Moana Boulevard
P.O. Box 50167
Honolulu, HI 96850

In Reply E-4-2
Refer To: 861.C

Dear Mr. Taylor:

This is in response to your letter (ES Room 6307) dated September 14, 1979 commenting on the proposed issuance of NPDES permits to Star-Kist and Van Camp canneries in American Samoa.

With regard to the numerical effluent limitations for BOD₅ which have been deleted from the permits, Effluent Guidelines Division, EPA Headquarters withdrew these limitations from the tuna subcategory on August 6, 1979. The basis for this decision was that such limitations could not be supported by the level of technology (non-optimized DAF systems) designated as Best Practicable Control Technology Currently Available (BPCTCA). This office has, however, required the dischargers to continue with the monitoring and reporting requirements for this parameter.

We agree that nutrients in the waters of Pago Pago harbor may contribute to eutrophic conditions as you have stated and recognize that the cannery effluents may contribute to this problem. We are considering the desirability of incorporating additional monitoring requirements for total phosphorous and organic nitrogen, on a monthly basis, to establish the quantity and quality of these materials in the discharges. These requirements may be incorporated in the finally issued permits.

Jail
10/17/79
E-4/2
K-17-71

Com CTV
BA
10-19-79


EPA's determination of appropriate effluent limitations is based upon applicable guidelines defined by BPT as stated earlier. This determination is not limited to consideration only of water quality of receiving waters, but represents a minimum level of treatment as required by law. The Government of American Samoa is not precluded from specifying additional more stringent requirements, if they are deemed necessary, to protect the beneficial uses of the receiving waters. This may be accomplished by adopting specific water quality standards for the areas of concern.

The pollutants contained in the canneries' discharges are defined as conventional pollutants and are subject to consideration under a new level of control identified as "Best Conventional Pollutant Control Technology" (BCPCT) as opposed to "Best Available Control Technology Economically Achievable" (BACTEA). This new classification is defined in Section 304(b) (4) of the Clean Water Act of 1977 (CWA). For conventional pollutants BPT levels are subject to evaluation under several criteria relating to the cost/benefit of additional more stringent levels of treatment. For the tuna canneries it is believed that levels in excess of BPT (BCPCT) currently effective will not be required by the EPA. Again, however, this does not prevent CAS from specification of more stringent standards if required for water quality reasons.

We have given careful consideration to your comments and appreciate your concern that well designed permits be issued. It is our opinion that, as proposed and with minor monitoring revisions, these permits will act to minimize any further degradation of the waters of Pago Pago Harbor. As the CAS develops and adopts additional water quality based standards, such standards will be incorporated in these or future permits.

I trust we have responded adequately to your concerns and we will proceed to issue these two permits within the next two weeks unless we hear further from your office.

Sincerely,


David P. Howekamp
Chief, Permits Branch
Enforcement Division

ORIGINAL SIGNED BY:
DAVID P. HOWEKAMP

OCT 16 11 13 AM '80

bc: W-6 Pardick



United States Department of the Interior

FISH AND WILDLIFE SERVICE

300 ALA MOANA BOULEVARD
P. O. BOX 50167
HONOLULU, HAWAII 96850

IN REPLY REFER TO:

ES
Room 6307

September 14, 1979

Environmental Protection Agency
Region IX
215 Fremont Street
San Francisco, California 94104

Re: NPDES Draft Permits for
Van Camp Seafood Co.
(NPDES No. AS0000019)
and Starkist Samoa, Inc.
(NPDES No. AS0000027)

Dear Sir:

We have reviewed the two referenced draft Permits dated 10 August 1979. Our comments are submitted under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.). They are also consistent with the intent of the National Environmental Policy Act as amended.

We have commented previously on discharge permits for these two canneries. We continue to be concerned with both permits. The canneries have been identified as the largest point source of pollution in the harbor, yet in spite of this, if approved, the present permit would increase Starkist's allowed discharge substantially. Additionally, no limit has been set on BOD₅ for either cannery. The area of the harbor where the waste is discharged is poorly flushed. It has been estimated that water residence time could be as long as 260 days. This long residence time means a continual build-up of the wastes in the area, with a consequent anaerobic condition on the bottom. The U.S. Fish and Wildlife Service does not condone operations of this type. The polluted waters from these point sources are adversely impacting fish and wildlife resources in the area.

In view of the above, we recommend the following conditions be made a part of the permit.

1. Compliance schedule be developed as soon as possible that would result in discharges via a deep ocean outfall, outside the harbor.

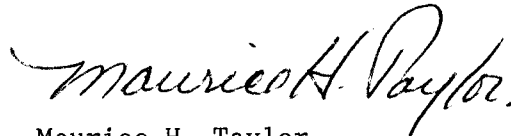


Save Energy and You Serve America!

2. BOD₅ limitations be developed.
3. Effluent restrictions be placed on total Kjeldahl nitrogen to minimize cannery induced eutrophic conditions.

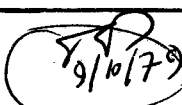
To keep informed of ongoing permit activities, we would appreciate receiving a written response to this letter.

Sincerely yours,

A handwritten signature in cursive script that reads "Maurice H. Taylor".

Maurice H. Taylor
Field Supervisor
Division of Ecological
Services

cc: ARD(E)
PIA
NMFS
Office of Marine Resources,
American Samoa

RECORD OF COMMUNICATION		<input type="checkbox"/> PHONE CALL <input type="checkbox"/> DISCUSSION <input type="checkbox"/> FIELD TRIP <input type="checkbox"/> CONFERENCE	
		<input type="checkbox"/> OTHER (SPECIFY) _____	
		(Record of item checked above)	
TO:	FROM:	DATE	
		TIME	
SUBJECT			
SUMMARY OF COMMUNICATION			
CONCLUSIONS, ACTION TAKEN OR REQUIRED			
INFORMATION COPIES			
TO:			
			



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southwest Region
Western Pacific Program Office
P. O. Box 3830
Honolulu, Hawaii 96812

September 12, 1979

U.S. Environmental Protective Agency
Region IX, Enforcement Division, E-4-1
215 Fremont Street
San Francisco, California 94105

Dear Sir:

Subject: NPDES permit reissuance for Star Kist Samoa, Inc.
(NPDES #AS0000019) and Van Camp Sea Food Company
(NPDES #AS0000027).

We have reviewed the subject NPDES permit applications for reissuance of permits to Star Kist Samoa, Inc., and Van Camp Sea Food Company for discharge of wastewater from tuna processing operations into Pago Pago Harbor, American Samoa. The following comments are offered for your consideration.

The National Marine Fisheries Service (NMFS) has been concerned with the impacts of the subject discharges on the waters of Pago Pago Harbor for a number of years. Attached are two letters dated June 17, 1977 and June 29, 1977 which we sent to your Agency in response to a proposed revision of effluent limitations for Van Camp Sea Food Company. The letters summarize our concerns and in the absence of new information our position remains the same.

We recognize that the decision to reissue the subject NPDES rests with the Environmental Protection Agency. Further we also recognize the important economic role that these two canneries have in the American Samoan economy. If the decision is made to reissue the permits NMFS strongly recommends that a compliance schedule be included in order to establish a timetable for implementation of appropriate means of wastewater treatment, consistent with the current state of the art, for proper management of these discharges in Pago Pago Harbor.

Sincerely,

Doyle E. Gates
Doyle E. Gates
Administrator

Enclosures

cc: Gary Smith, FSW3 (w/ enclosures)
Maurice Taylor, FWS, Honolulu (w/enclosures)
Office of Marine Resources, American Samoa
(w/enclosures)

Southwest Region
Western Pacific Program Office
P. O. Box 3830
Honolulu, Hawaii 96812

FSW1/JJN

2 1. Tarsen
2. File (NPDES)

WPPPO	
DEG	J
RFBI	
JJN	
WCS	
SLA	
MCS	

June 17, 1977

U. S. Environmental Protection Agency
Region IX, Enforcement Division, ENPPN
100 California Street
San Francisco, California 94111

Gentlemen:

Subject: Modification to NPDES Permit AS 0000027, Van Camp
Sea Food Company, Pago Pago, American Samoa

LTR/
JM
We have reviewed the proposed revision of effluent limitations for BOD₅ from the subject applicant and offer the following comments for your consideration.

The National Marine Fisheries Service is concerned with the large amount of dissolved BOD₅ being discharged by the applicant into Pago Pago Harbor. The inner harbor is grossly polluted at the present time, therefore increasing the applicant's effluent limitations for BOD₅ cannot be condoned by this agency.

We understand the Van Camp Sea Food Company cannery in American Samoa does not recover fish solubles and that discharge of this material is the primary reason for the requested increase for BOD₅ discharge. We appreciate the problem the applicant faces concerning removal of these solubles, however, we do not agree that direct discharge into Pago Pago Harbor is the answer. It is strongly suggested that the applicant dispose of fish solubles by either disposal at a landfill or, perhaps more practically, by barge disposal at a designated deep ocean dump site.

Sincerely,

Doyle E. Gates
Administrator

cc: Gary Smith, FSW3
Maurice Taylor, FWS, Honolulu

JJNaughton:mcs

Southwest Region
Western Pacific Program Office
P. O. Box 3830
Honolulu, Hawaii 96812

J. T. Iversen
2. File (NPDES)
Final attached

June 29, 1977

FSW1/JJN

Mr. Richard L. O'Connell
Director, Enforcement Division
U. S. Environmental Protection Agency
Region IX
100 California Street
San Francisco, California 94111

Dear Mr. O'Connell:

Subject: E-4 861.C, Additional comments on Van Camp Sea Food
Company, Pago Pago, American Samoa, NPDES permit
(AS 0000027).

m
This is in reference to your letter of June 24, 1977 requesting additional technical information to support our view that the inner Pago Pago Harbor is badly polluted, therefore increased effluent limitations for BOD cannot be condoned by this agency. We base this conclusion on personal observations (including an underwater inspection of the bottom at Van Camp wharf) and from data in the following reports: (1) Environmental Data Assessment for Pago Pago Harbor; prepared for U. S. Army Corps of Engineers by Sunn, Low, Tom & Hara, Inc. (February 1975); (2) Wastewater Facilities Plan, American Samoa, Vol. 1-2; prepared for the Government of American Samoa by CH2M Hill (February 1976).

The Corps of Engineers' report states that "the inner harbor area is the most stressed portion of Pago Pago Harbor because of long residence time (estimated range of 18-260 days, with a probable value on the order of 30 days), limited mixing, and the input of fresh water, organic material, and nutrients." In addition, it states that "the inner harbor exhibits signs of biological stress, including a marked decrease in coral coverage and diversity, a decrease in fish diversity, dissolved oxygen problems, sediment and floatables accumulation, possible higher nutrient levels, and plankton blooms. Increased stresses on the biological community in the inner harbor are likely with increased filling, increased mass emissions of BOD, nutrients, suspended solids, and fresh water."

The Corps' report also states that "sediment conditions near the cannery exhibited black sediment that averaged 23 inches in depth and was nearly devoid of invertebrate life." This observation was confirmed during a dive at the Van Camp wharf. The report sums up their water quality study with the conclusion that water quality conditions of the inner harbor are indicative of a condition of eutrophication.

The Government of American Samoa study states that "the land and waters near the canneries are polluted. The area between Pago Pago and Anua is seriously contaminated from tuna cannery waste, tuna boat bilge water, cesspool seepage, and refuse-contaminated runoff water. The shoreline is covered with refuse and oily scum." The report also states that the degraded water quality of the inner harbor area prevents water-contact activities. It concludes that it is essential that cannery wash water and other wastes be diverted into the proposed government sewer system.

As can be seen by these studies and others, there can be little doubt that the canneries contribute significantly to the polluted condition of inner Pago Pago Harbor. Therefore, as this agency has stated previously, we cannot condone increasing BOD₅ effluent limitations for the Van Camp Sea Food Company cannery in American Samoa. The decision to issue the proposed modified NPDES permit rests with the Environmental Protection Agency.

Sincerely,

Doyle E. Gates
Administrator

cc: Gary Smith, FSW3
Maurice Taylor, FWS, Honolulu

JJNaughton:mcs



AMERICAN SAMOA GOVERNMENT
PAGO PAGO, AMERICAN SAMOA 96799
DEPARTMENT OF MEDICAL SERVICES

REC'D BY E.P.A.
REGION IX
COMM. CENTER

AUG 27 10 42 AM '79

August 22, 1979

*File
Star-Kist
+
Van Camp
Pm Samoa*

NOTICE OF PROPOSED ACTION

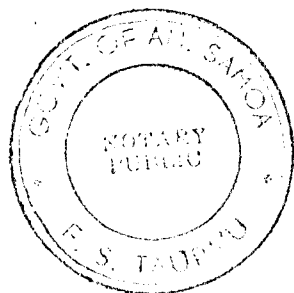
Pursuant to 21 ASC 1404(3) and 1407(b), the Director of Health proposes to withdraw the designation of the sludge pits at Tafuna and Futiga as acceptable sites for the disposal of industrial waste effective December 31, 1979, and to prohibit all further transportation of industrial wastes to said sites. A hearing will be held September 17, 1979, at 9 A.M. in the American Samoa Health Planning Conference Room to allow public comment. Written comments are also solicited and should be addressed to the Director of Health, L.B.J. Tropical Medical Center.

PROOF OF SERVICE

I, STEVEN H. WATSON, state that on the 22 day of August, 1979, I deposited in first class mail, postage pre-paid, a copy of the attached NOTICE OF PROPOSED ACTION addressed to each of the below listed persons as follows:

- | | |
|---|---|
| 1. Marvin E. Jones
Admin. Law Judge
Environmental Protection Agen.
324 East 11th Street
Kansas City, Mo. 64106 | 6. Ed Stockwell
President, Star Kist
Pago Pago, Am. Samoa
96799 |
| 2. Mathew S. Walker
Senior Attorney
Enforcement Division
U.S. Environ. Protection Agen.
Region 9
215 Fremont Street
San Francisco, Calif. 94105 | 7. Henry Sesepasara
Director, Mar. Resources
Am. Samoa Government
Pago Pago, Am. Samoa
96799 |
| 3. Lyle L. Richmond
Chairman, Counsel on
Environmental Quality
Pago Pago, Am. Samoa 96799 | 8. Ed Remund
Director, Pub. Works
American Samoa Governm't.
96799 |
| 4. Pati Fai'ai
Governor's Ass't for
Environmental Affairs
Pago Pago, Am. Samoa 96799 | 9. A.U. Fuimaono
Secretary,
Samoan Affairs
Am. Samoa Government
Pago Pago, Am. Samoa
96799 |
| 5. William Perez
General Manager
Van Camp Division
Ralston Purina
Pago Pago, Am. Samoa 96799 | |

SUBSCRIBED AND SWORN to before me this 22 day of August, 1979.



Steven H. Watson
STEVEN H. WATSON

Faleseque S. Tausi
Notary Public In and For the
American Samoa Government

Environmental Protection Agency
Region IX
818 Fremont St.
San Francisco, Ca. 94108

In Reply E-2
Refer to: HEA-1-1

Honorable Marvin E. Jones
Administrative Law Judge
Environmental Protection Agency
324 East 11th Street
Kansas City, MO 64106

AUG 8 1979

Subject: Ralston Purina Company, American Samoa
NPDES Permit No. AS0000027 - Docket No.
141.34(W)

Dear Judge Jones:

The Permits Branch advises me that the NPDES Permit for Ralston Purina's plant at American Samoa has been prepared and will be sent to public notice by August 10, 1979. This is the first formal step in issuing the new permit. Ralston Purina has expressed satisfaction with the terms of the new permit, and I expect that when it is finally issued the above-subject adjudicatory hearing can be closed.

We do not think that a hearing will be necessary.

Sincerely yours,

Original Signed by:
Matthew S. Walker

Matthew S. Walker
Senior Attorney
Enforcement Division

cc: Mr. Frank H. Hackmann
Mr. Steve Watson, Asst. Atty.
Government of American Samoa
Regional Hearing Clerk, Region IX

bc: ->E-4
E-5



RECEIVED
E.P.A. REGION IX

OFFICE OF THE GOVERNOR
PAGO PAGO, AMERICAN SAMOA 96799

PETER TALI COLEMAN
Governor

May 25, 1979

TUFELE LI'A
Lt. Governor

Serial:761

Honorable Marvin E. Jones
Administrative Law Judge
324 East 11 Street
Kansas City, Missouri 64106

Re: Docket No. 141.34(W)
NPDES Permit No. AS/0000027

Dear Judge Jones:

The purpose of this correspondence is to provide your Administrative Law Court with input from the American Samoa Government (ASG) as to our position on certain matters to be heard before you on June 19, 1979.

We are in receipt of the Report of Prehearing Conference and Order Setting Adjudicatory Hearing issued by your hand on February 16, 1979. We are aware of the fact that the sole remaining issue is "whether the permit effluent limitations for oil and grease and suspended solids are reasonable." We defer to the EPA with regard to this issue.

However, we do wish to comment on the application of the canneries for ocean dumping via barge from Pago Pago; and perhaps a brief review of the present situation could prove useful. As I am sure you are by now aware, there have been several years of complaints about the methodology presently employed in disposing of sludge from the tuna canneries. It began in 1974 when Van Camp and Star-Kist Samoa obtained permission to dispose of sludge on an approximately 5 acre site in the Tafuna area. Upon gaining access site preparation included the digging of trenches and pits; the canneries then began transporting and dumping their combined volume of some 15 to 16,000 gallons per day of sludge. After attempting various types of trenches and pits at various locations on this site, both canneries found repeated problems with inadequate percolation of sludge into the substrate. Percolation was often non-existent with evaporation being the only means of sludge absorption. Local property owners began complaining of bad odors in the area soon

after the percolation problems began.

In mid-1976, Van Camp and Star-Kist concluded that nothing would be gained by continuing the disposal of their sludge at the Tafuna plain site. Thus each of the canneries began separate investigations of other potential disposal sites. Star-Kist obtained land somewhat north of the ASG landfill in Futiga while Van Camp was unable to locate any appropriate real estate. Van Camp, accordingly, continued to dispose of approximately 3 to 4,000 gallons per day of sludge at the Tafuna site and attempted to supplement this effort with the application of lime, sawdust, plant material and other neutralizing agents to combat objectionable odors. From time to time percolation has been enhanced by intense rainfalls which apparently flush the suspected clogging of sludge in the pits' substrate. Nevertheless, odors remain objectionable and the adjacent community continues to make complaints to the ASG Public Health Administration and the Governor's Office.

Star-Kist did not encounter any similar complaints at the Futiga facility until approximately September, 1977. Since that time, however, there has been a continuing stream of complaints from the Futiga area similar to those generated in the Tafuna plain. Thus Star-Kist is again confronted with generally the same problems they faced at the Tafuna site.

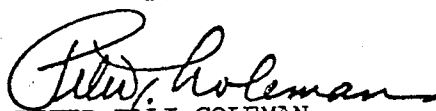
A different method of resolving this problem which has been considered includes discharge through the Tafuna Sewer Plant outfall; however, this has been found unacceptable by the EPA. We, accordingly, see barging to sea as the only other viable alternative available to us.

This government has taken steps to encourage and initiate the barging program, as the attached exhibits indicate. Exhibits "A", "B", and "C", correspondence from Lyle Richmond, Chairman of Environmental Quality Commission, indicate that pursuant to local statute and regulation we are planning to discontinue use of the Tafuna and Futiga pits as of December 31, 1979, and ask complete restoration of the area by June 31, 1980. Exhibit "D" is a copy of the Star-Kist Samoa tax exemption certificate. If you will notice, Paragraph 7 (b) (1) puts the grantee under mandate of the certificate to discontinue use of the Futiga pits no later than December 31, 1979. As a review of that paragraph indicates, the government considers an "acceptable alternative" to be ocean dumping pursuant to a permit granted by EPA. A second alternative is provided in the event EPA does not

grant the ocean dumping permit, but I do hasten to emphasize that our government is most desirous that ocean barging be approved.

With the foregoing thoughts in mind we urge a speedy approval of the ocean dumping permits, and hope to hear from you on this at your earliest convenience so that the canneries may soon proceed with restoration of the land into its original state.

Sincerely,


PETER TALI COLEMAN
Governor of American Samoa

cc: Lyle L. Richmond, Chairman
Environmental Quality Commission

GOVERNMENT OF AMERICAN SAMOA
OFFICE OF THE GOVERNOR
PAGO PAGO, AMERICAN SAMOA 96799

Serial: 415

March 9, 1979

Mr. Edward Stockwell
General Manager
Star-Kist Samoa, Inc.
Pago Pago, American Samoa

Dear Mr. Stockwell:

The Environmental Quality Commission has reviewed your letter of November 27, 1978 concerning disposal of sludge from the dissolved air flotation treatment process. We have also reviewed the repairs made to the dikes at the Futiga sludge pits.

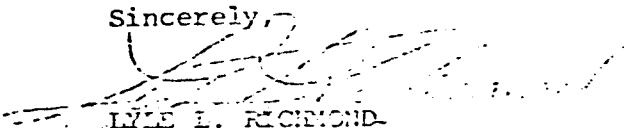
It is our opinion that reoccurrence of the recent overflow of the pond and the resulting pollution of the waters of the Territory is highly probable. This opinion is based on the limited capacity of the ponds, the steep sides slope of the unprotected dikes, the type of material used to make the repairs, and seepage occurring under the dikes. We are also concerned about possible adverse effects on ground water quality.

Based on the potential detrimental effects that continued use of these sludge pits may have on the waters of the Territory and the environment, we are asking you to discontinue the use of these pits by December 31, 1979, and to restore the area by June 30, 1980.

We are recommending to the Director of Health that the designation of the sludge pits, under Sections 1404 and 1407 of Title 21 of the American Samoa Code, as an acceptable disposal site for industrial waste be withdrawn as of December 31, 1979.

In developing your alternate plans for approved disposal of this material, use of the Tafuna Treatment Plant outfall will not be acceptable. Disposal of this material by ocean dumping under an Environmental Protection Agency permit at a location approved by the Environmental Quality Commission appears to be an acceptable alternative. Our discussion with Agency representatives indicate that a permit can be issued upon submission of the information required under the federal ocean dumping regulations.

Sincerely,


LYLE L. RICHMOND

Chairman, Environmental Quality Commission

cc: Governor
Director of Health

EXHIBIT "A"

GOVERNMENT OF AMERICAN SAMOA
OFFICE OF THE GOVERNOR
PAGO PAGO, AMERICAN SAMOA 96799

Serial: 414

March 9, 1979

Mr. William Perez
General Manager
Van Camp Samoa, Inc.
Pago Pago, American Samoa

Dear Mr. Perez:


The Environmental Quality Commission has reviewed Mr. Bob Deihl's letter of November 29, 1978 concerning disposal of sludge from the dissolved air flotation treatment process. The Commission continues to receive complaints regarding the sludge disposal process from residents of the area surrounding the disposal site. We anticipate that these complaints will become more frequent as additional people move into the area. The Commission is also concerned about the possible adverse effects of seepage from the sludge on ground water quality.

Based on the potential detrimental effects that continued use of these sludge pits may have on the waters of the Territory and the environment, we are asking you to discontinue the use of these pits by December 31, 1979, and to restore the area by June 30, 1980.

We are recommending to the Director of Health that the designation of the sludge pits, under Sections 1404 and 1407 of Title 21 of the American Samoa Code, as an acceptable disposal site for industrial waste be withdrawn as of December 31, 1979.

In developing your alternate plans for approved disposal of this material, use of the Tafuna Treatment Plant outfall will not be acceptable. The disposal of this material by ocean dumping under an Environmental Protection Agency permit at a location approved by the Environmental Quality Commission appears to be an acceptable alternative. Our discussion with Agency representatives indicate that a permit can be issued upon submission of the information required under the federal ocean dumping regulations.

Sincerely,



LYLE L. RICHMOND

Chairman

Environmental Quality Commission

cc: Governor
Director of Health
Director of Public Works
Environmental Protection Agency
Members, Environmental Quality Commission

EXHIBIT "B"

Pati Laina

GOVERNMENT OF AMERICAN SAMOA
OFFICE OF THE GOVERNOR
PAGO PAGO, AMERICAN SAMOA 96799

Serial: 416

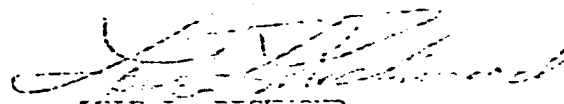
March 9, 1979

To : Director of Health
From : Chairman, Environmental Quality Commission
Subject: Industrial Waste Disposal Sites

As indicated in the attached letters to the two fish canneries, the Environmental Quality Commission is recommending that the use of the sludge pits at Tafuna by Van Camp, and Futiga by Star-Kist not be allowed after December 31, 1979. We are recommending this action after many discussions with representatives of the canneries, Environmental Protection Agency and Department of Public Works, and the Public Health Officer.

The closure date was selected on the basis of the estimated time it will take the canneries to prepare an ocean dumping permit application, and for the Environmental Protection Agency to issue an interim permit.

Your support on these matters will be appreciated.


LYLE L. RICHMOND

Encl.

cc: Governor
Director of Public Works
Environmental Protection Agency
Members, Environmental Quality Commission

EXHIBIT "C"

CERTIFICATE OF TAX EXEMPTION

ISSUED TO
ATTORNEY GENERAL'S OFFICE
STAR-KIST ~~STATE~~ RECEIVED: 5-15-79
ROUTING: State

WHEREAS, the Tax Exemption Board of the Government of American Samoa has considered, at a public hearing after proper notice, the application made on behalf of Star-Kist Samoa, Inc., a California corporation, for tax exemptions pursuant to Chapter 7 of Title 29 of the American Samoa Code; and

WHEREAS, the Tax Exemption Board has recommended to the Governor of American Samoa that he grant tax exemptions based upon its findings from the evidence (1) that expansion of the industrial activity set forth in said application will promote the public interest by furthering the economic development of American Samoa; (2) that the expansion of said activity requires incentive in the form of temporary tax exemptions; and (3) that Star-Kist Samoa, Inc. qualifies under the provisions of Section 607 of Title 29 of the American Samoa Code; and

WHEREAS, the Governor of American Samoa has reviewed and concurs with the findings and recommendation of the Tax Exemption Board set forth above; and

WHEREAS, on March 25, 1979, the Government of American Samoa and Star-Kist Samoa, Inc. entered a memorandum of understanding pertaining to the terms and conditions of the tax exemptions, which expires on April 23, 1979 if a mutually agreeable certificate of tax exemption is not by then executed and issued; and

WHEREAS, in the memorandum of understanding (1) the Government of

EXHIBIT ¹"D"

American Samoa and Star-Kist Samoa, Inc. recognize their mutual interests and belief that successful operation of the Star-Kist Samoa, Inc. cannery in American Samoa contributes in many ways to the economic health of American Samoa and the welfare of its people; (2) Star-Kist Samoa, Inc. expresses its intent to make its facilities at the Port of Pago Pago, American Samoa its major wholly-owned cannery in the South, Central and Western Pacific Ocean region if the tax exemptions are granted; and (3) the Government of American Samoa agrees to maintain a policy of openly encouraging new capital investment of mutual benefit to American Samoa and Star-Kist Samoa, Inc.

NOW, THEREFORE, Star-Kist Samoa, Inc. (hereinafter called "Grantee") and other beneficiaries named below are granted tax exemptions, and this certificate of tax exemption is issued to Grantee, on the following terms and conditions:

1. The Grantee's business or industrial activity which qualifies for tax exemption under this certificate is the operation of a tuna fish cannery and a fishing base, including the purchase of raw fish and the canning, processing, reduction, freezing, export and transshipment and local sale of fish and fish products in American Samoa. This exemption does not apply to finished goods imported into American Samoa for resale.

2. Exemptions are hereby granted only from the payment of the taxes, fees, duties, and levies imposed by American Samoa in connection with Grantee's aforesaid business activities and enumerated in Sections 3, 4, 5 and 6 of this certificate.

3. Grantee is exempted from the payment of corporate income tax on that portion of Grantee's net income derived in any taxable year from

the operation of its tuna fish cannery and fishing base in American Samoa which is allocable to the processing of tuna fish in amounts in excess of 30,000 gross tons, as follows:

(a) For its taxable years beginning on May 3, 1979 and ending on May 2, 1984, 100% exemption;

(b) For its taxable year ending May 1, 1985, 50% exemption;

(c) For its taxable year ending April 30, 1986, 25% exemption.

The net income (taxable income before net operating loss deduction, special deductions and credits) allocable to the tons of fish processed in excess of 30,000 tons (2000 pounds per ton) shall be determined by multiplying Grantee's total net income (taxable income before net operating loss deduction and special deductions and credits) from the operation of its fish cannery and fishing base in American Samoa by a fraction the numerator of which shall be total tons of tuna fish processed by Grantee in American Samoa during the taxable year in excess of 30,000 tons and the denominator of which shall be the total tons of tuna fish processed by Grantee in American Samoa during the taxable year. The number of tons processed for purposes of this exemption shall be the number of tons of tuna fish processed by Grantee, adjusted by the formulae used by the U.S. Department of Commerce, National Marine Fisheries Service, which at the present time is as follows:

(a) The tons of tuna fish received which have been gilled and gutted shall be increased by eleven (11) percent to determine the whole gross weight of such tuna.

(b) The tons of tuna fish received which have been headed, but not gilled and gutted, shall be increased by fifteen (15) percent to determine the whole gross weight of such tuna fish.

(c) The tons of tuna fish received which have been gilled and gutted and headed shall be increased by twenty five (25) percent to determine the whole gross weight of such tuna fish.

This exemption does not apply to the personal income taxes of Grantee's employees. For purposes of the exemption, and for purposes of applying the corporate income tax to non-exempt income, Grantee's net income for any taxable year from the operations of its tuna fish cannery and fishing base in American Samoa shall be subject to the provisions of Section 482 of the Internal Revenue Code of the United States and Sections 482 and 483 of the American Samoa Income Tax Act.

4. Each owner or operator of long-line fishing vessels, and associated motherships, reefer transports and supply vessels, and the owner's or operator's ship-based employees are exempted from income taxes on activities related to the delivery of raw tuna fish to Grantee for processing in American Samoa. These exemptions are effective during the seven-year period of Grantee's exemption set forth in Section 3 of this certificate. If, during the period of these exemptions, the Government agrees to grant to vessels of the type described in this Section tax exemption terms more favorable than those specifically contained in Section 6 of this certificate, the more favorable terms shall be afforded the above described vessels.

These exemptions do not apply to the personal income taxes of the owner's or operator's agents or employees shore-based in American Samoa.

5. Each corporation organized under the laws of American Samoa and owning or operating one or more purse seiner fishing vessels is exempted from corporate income taxes on its income from tuna fishing if at least twenty (20) percent of the annual catch of tuna fish by tonnage (computed according to the formulae of the U.S. Department of Commerce, National Marine Fisheries Service, listed in Section 3 of this certificate) by its vessels, averaged over each two-year period of operations, is delivered to Grantee for processing in American Samoa. The ship-based employees of the corporation are exempted from personal income taxes on the delivery of raw tuna fish to Grantee for processing in American Samoa. Delivery shall mean direct delivery into American Samoa by a vessel owned or operated by the corporation. For purposes of determining whether the 20 percent requirement is met in any year, the following two-year averaging rules shall apply:

(a) In any year in which the quantity of fish delivered exceeds 20 percent of the corporation's annual catch, the excess quantity shall, at the election of the corporation, be deemed to have been caught and delivered to the Grantee in the preceding taxable year for purposes of determining whether the preceding taxable year satisfies the 20 percent requirement if it did not already do so.

(b) To the extent such excess quantity of fish is not utilized as a carryback under subparagraph (a) in order to qualify the preceding taxable year under the 20 percent rule, the excess quantity delivered in the taxable year shall, at the election of the corporation, be carried over to the following taxable year and shall be deemed to have been caught and delivered to the Grantee in such following taxable year for purposes of determining whether

the following taxable year satisfies the 20 percent requirement.

(c) Taxes will be paid by a corporation by reason of its failure to meet the twenty (20) percent requirement in any taxable year and adjusted after it has been ascertained whether the one year carryback (or carry-forward, but not both) of excess quantities of fish (provided in Subsections (a) and (b) above) has been met.

Failure of any corporation to which this Section applies to meet the 20 percent delivery requirement in any two (2) consecutive years shall invalidate the tax exemption for that corporation. Any corporation to which this Section applies shall also be exempt from the withholding of tax obligations imposed by Sections 1441 and 1442 of the American Samoa Income Tax Act on distribution of income derived from worldwide fishing operations.

These exemptions are effective as to each corporation for a period of ten (10) years beginning on the date of incorporation in American Samoa if incorporation occurs during the seven-year period of Grantee's exemption set forth in Section 3 of this certificate.

The exemption does not apply to the personal income taxes of the corporation's agents or employees shore-based in American Samoa.

6. Grantee and other beneficiaries named in Sections 3, 4 and 5 shall also be exempted from any new or increased income or production-related taxes which may be imposed by the Government of American Samoa during the specified periods of exemption, and shall furthermore be exempted from any other new type of tax, fee, duty or levy.

7. In the case of the exemptions granted to Grantee in Sections 3 and 6 of this certificate, the continuance of the tax exemptions shall be conditional upon the following:

(a) Grantee shall make every reasonable effort to increase production and employment, and to promote employment opportunities.

(1) For this purpose Grantee shall increase plant capacity at its fish cannery and fishing base in American Samoa through the expenditure of a minimum of \$3 million substantially in accordance with the following schedule:

<u>Item</u>	<u>Grantee's Tax Year of Expenditure</u>
New reduction plant press and dryer	1980
Electrical panel	1980
Frick compressor	1980
Enlarge fish precookers	1980-1982
Additional retort capacity	1980-1982
Dock extension	1980-1981
Thawing tanks	1980-1981
Additional cleaning and canning capacity	1980-1981
Construction of cold storage facility	1980-1981
Warehouse equipment	1981
Construction of maintenance building	1980-1981
Restroom/locker expansion	1980-1981

In conjunction with the dock extension described in Exhibit A, attached hereto and incorporated herein by reference, Grantee will fill the portion of the marine terminal within the area used by the Marine Railway Authority of the Government of American Samoa adjacent to Grantee's proposed dock extension, provided that fill is available on site. The fill will be done at the expense of Grantee. Unless otherwise agreed upon, the Government will maintain full property rights under the existing boundaries.

Depreciation shall be in accordance with the guidelines in the Code of American Samoa, Title 34, adopting the U.S. Internal Revenue Code of 1954.

Grantee shall report in writing to the Governor on or before June 15 each year setting forth the expenditures on these items and other items related to increased plant capacity during Grantee's immediately preceding tax year and currently planned for the ensuing tax year until the additional facilities contemplated are constructed or installed and are operational.

(2) Grantee estimates that the capital expenditures set forth in Section 7(a)(1) of this certificate will result in an increase in employment at its tuna fish cannery and fishing base in American Samoa of at least 25 percent over the average employment levels of calendar year 1978. In no case shall said plant operate at 40,000 tons or more (as defined in Section 3) at less than a 15 percent increase in employment over average calendar year 1978 employment levels.

(3) In connection with these capital expenditures, Grantee shall encourage the employment of American Samoans or permanent residents, as defined in Section 202 of Title 9 of the American Samoa Code, located in American Samoa and in the United States. In compliance with applicable law, Grantee shall undertake at all times to employ personnel in accordance with Section 607(2) of Title 29 of the American Samoa Code.

(4) Grantee shall further make every reasonable effort to train American Samoans or permanent residents, as defined in Section 202 of Title 9 of the American Samoa Code, to fill upper level managerial positions in both production operations and administration. Grantee estimates that the positions of office manager and production manager, as examples, could be held by such persons within a three-year training period.

(b) Grantee shall make the following corrections in the area of environmental quality at its sole expense within the time stated:

(1) Grantee shall discontinue use of the pits at Futiga, American Samoa, for disposal of dissolved air flotation (DAF) sludge no later than December 31, 1979, and restore the pit area no later than June 30, 1980. Concurrently, Grantee shall pursue the development of an improved sludge disposal process. In this regard, one acceptable alternative would be ocean dumping disposal pursuant to a permit issued by the Federal Environmental Protection Agency no later than December 31, 1979. Another acceptable alternative (assuming Grantee has exercised its fullest efforts in connection with the other alternatives and is unsuccessful) would be Grantee's purchase and use of a mutually acceptable dewatering centrifuge system and the disposal of the sludge cake resulting from the centrifuge's use in a sanitary landfill at a location acceptable to the Government of American Samoa no later than April 1, 1981. The Government will not unreasonably withhold its approval of the system.

(2) Grantee shall install a mutually acceptable operating system for use by vessels under contract to Grantee to dispose of bilge waters and other oily wastes on or before December 1, 1980 in conjunction with completion of the dock extension provided by Section 7(a)(1) of this certificate. Grantee will be responsible for taking all reasonable steps to ensure that vessels under contract to Grantee use the system. For purposes of this Subsection, vessels under contract shall include long-line fishing vessels and associated mother ships, reefer transports and supply vessels, and purse seiner

fishing vessels. The Government will not unreasonably withhold its approval of the system.

(3) Grantee shall eliminate odors to the best of its ability from the cannery operations in American Samoa. Such efforts will include, but not be limited to, the installation of air scrubbers on the reduction process equipment and the use of covered solid waste storage container and transport vehicles by January 1, 1980, provided that in no event shall Grantee be required to exceed the applicable legal standards prevailing at the tuna fish cannery of Star-Kist Foods, Inc., at Terminal Island, California.

(4) Grantee shall participate cooperatively with the Government of American Samoa in the development and implementation of a mutually acceptable alternative to accomplish the objectives of the Wastewater Facilities Plan, formally adopted by the Government and approved by the Federal Environmental Protection Agency in February, 1976, in connection with the operation of its fish cannery and fishing base in American Samoa.

(c) Subject to arrangements reasonably satisfactory to Grantee for the protection of confidential and proprietary information, consistent with applicable territorial and federal laws, the Government of American Samoa shall have the following rights of audit and access in addition to those authorized under the tax laws of American Samoa:

(1) The Government shall be granted access to Grantee's fish cannery and fishing base in American Samoa for purposes of observation or inspection as prescribed by applicable territorial or Federal laws or regulations, and for other purposes upon reasonable notice to the Grantee's General Manager.

(2) The Government may, at any time during normal business hours, have access to Grantee's records relating to total fish landings, fish packing (including the lab reports concerning biochemical oxygen demand, oil and grease, total suspended solids, Ph, and temperature), and fish storage and/or transshipment from American Samoa, provided that the Government agent or employee carries a letter of authorization from the Governor.

(3) Prior to the arrival of each purse seiner fishing vessel at its fish cannery and fishing base in American Samoa, Grantee shall notify the Director of Marine Resources and the Director of Development Planning when the vessel is scheduled to arrive and unload. The Government shall have the right to monitor landings and weighings of all fish.

(4) Grantee shall make monthly written reports submitted to the Director of Marine Resources and Director of Development Planning of the Government of American Samoa on the total tonnage landed (by vessel) on the following species: albacore, yellowfin, skipjack, bigeye, wahoo, blue marlin, black marlin, striped marlin, mahi mahi, shark, shortbill spear fish, swordfish, broadbill, sailfish, sunfish, barracuda and deepwater jack in connection with the operation of its fish cannery and fishing base in American Samoa. These monthly reports will also include the number of tons of fish processed each day.

(d) Grantee shall cooperate fully with the Government in collecting data on the monthly export of miscellaneous fish from American Samoa. Additionally, Grantee shall provide reasonable assistance in the development of local industry relating to the purchase, processing and/or transshipment of miscellaneous fish,

provided that the terms and conditions for such purchase, processing and/or transshipment by local industry are fair and competitive.

8. The exemptions provided in Sections 5 and 6 of this certificate to corporations owning or operating purse seiner vessels are subject to the following special conditions:

(a) Subject to requirements of crew space, competency, language understanding and usage, and safety considerations, the corporations employ as many American Samoan or permanent residents, as defined in Section 202 of Title 9 of the American Samoa Code, as reasonably possible and with due diligence to train them as crew members for their purse seiner fishing vessels.

(b) The corporations abide by applicable territorial and Federal environmental laws and regulations.

9. In the event Grantee, or any beneficiary hereunder, fails to substantially perform and observe any requirement contained in this certificate, or in Chapter 7 of Title 29 of the American Samoa Code or any regulations issued thereunder, its tax exemption may be revoked in accordance with Sections 605(4) and 606(a)(3) of Title 29 of the American Samoa Code and any other applicable laws or regulations, and all taxes applicable from and after such failure shall be due and payable. Nothing contained herein shall deprive or limit the right to further administrative or judicial review provided by law.

10. This certificate with respect to Grantee shall be assignable for the unexpired portion of the tax-exempt period provided herein to another person, partnership, or corporation which qualifies under Section 607 of Title 29 of the American Samoa Code, and which succeeds the Grantee in carrying on, or in operating, substantially all of the business set forth in Section 1 of this certificate.

11. This certificate is effective on the date when it has been signed by both the Governor of American Samoa and the President of Star-Kist Samoa, Inc., provided that the benefits conferred by the tax exemptions granted herein shall apply as of the effective dates stated.

GOVERNMENT OF AMERICAN SAMOA

Dated: April 20, 1979

BY: Peter T. Coleman
Governor of American Samoa

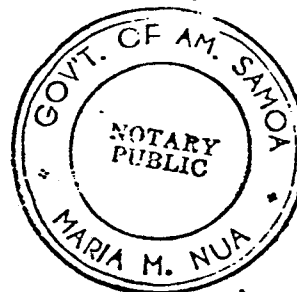
STAR-KIST SAMOA, INC.

Dated: April 20, 1979

BY: Malcolm F. Shovel
President

ACKNOWLEDGEMENTS

Territory of American Samoa)
County of Maoputasi) ss

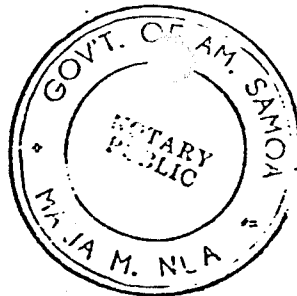


On April 20th, 1979, before me Maria M. Nua, notary public, personally appeared PETER TALU COLEMAN, known to me to be the Governor of American Samoa and the person who executed the within instrument on behalf of the Government of American Samoa, and acknowledged that said Government executed the same pursuant to law.

Maria M. Nua
Notary Public

My commission expires December 30th, 1979.

Territory of American Samoa)
County of Maoputasi) ss
)



On April 20th, 1979, before me

Maria M. NLA, notary public, personally appeared
MALCOLM E. STOCKWELL, known to me to be the President of Star-Kist
Samoa, Inc. and the person who executed the within instrument on behalf
of Star-Kist Samoa, Inc., and acknowledged that said corporation
executed the same pursuant to resolution of its board of directors.

Maria M. NLA
.. Notary Public

My commission expires December 30th, 1979.

PAGGO-PAGGO HARBOR

AREA TO BE FILLED

640'

ROAD

S 44° 48' E. 1200'

MAIN HWY

N

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
342 East 11 Street
Kansas City, Missouri 64106

IN THE MATTER OF:

RALSTON PURINA COMPANY
American Samoa

NPDES Permit No. AS-0000027.

DOCKET NO. 141.43(W)

CERTIFICATE OF SERVICE

I certify that a copy of the correspondence and attachments from Peter Tali Coleman, Governor of American Samoa is being sent by U.S. Mail - CERTIFIED, RETURN RECEIPT REQUESTED - to each of the parties listed below on May 25, 1979.

15/
STEVEN H. WATSON
Assistant Attorney General

Mr. Marvin E. Jones
Administrative Law Judge
Environmental Protection Agency
324 East 11 Street
Kansas City, Missouri 64106

Mr. Frank H. Hackmann
Director, Environmental Affairs
Ralston Purina Company
Checkerboard Square
St. Louis, Missouri 63188

Mr. Matthew Walter, Attorney
Enforcement Hearing Officer (E-2)
US Environmental Protection Agency
215 Fremont Street
San Francisco, California 94105

Ms. Lorraine Pearson,
Regional Hearing Clerk
US Environmental Protection Agency
215 Fremont Street
San Francisco, California 94105

773
40000

Standard Form No. 1143

ADVERTISING ORDER

ORDER NUMBER

ESTABLISHMENT, BUREAU OFFICE

DATE

Environmental Protection Agency, Region IX

NADITH

ublisher of the publication named below is authorized to
the enclosed advertisement according to the schedule
provided the rates are not in excess of the commercial rates

charged to private individuals with the use of the
set solid, without paragraphing, and without any display in the
leading unless otherwise expressly authorized in the specifications.

NAME OF THE PUBLICATION ADVERTISED IN

SAMOA NEWS LTD., PO Box 57; Pago Pago; American Samoa 96719

SUBJECT OF ADVERTISEMENT

Public Notice: AS-80-1

EDITION OF PAPER ADVERTISEMENT APPEARED

N/A

NUMBER OF TIMES ADVERTISEMENT APPEARED

DATE(S) ADVERTISEMENT APPEARED

One time only.

4-17-80 or as soon as possible.

SPECIFICATIONS FOR ADVERTISEMENT

**PLEASE NOTE: PAYMENT CANNOT BE MADE UNTIL THE BACK OF THIS FORM IS
COMPLETED. ALSO SUBMIT TWO (2) COPIES OF AFFIDAVIT
OF PUBLICATION.**

COPY FOR ADVERTISEMENT

SEE ATTACHED.

Accounting Data		ORDER NO.	ACCT. NO.	CC	ESTIMATED COST	FC
CC10-14	CC13-20	CC21-30	CC31-40			
0501		0000	0A5809K000 0A2509K000	2540	\$200	N-
AUTHORITY TO ADVERTISE				INSTRUMENT OF ASSIGNMENT		
NUMBER EPA Order 1210.3a				NUMBER N/A		
DATE December 13, 1973				DATE N/A		
SIGNATURE OF AUTHORIZING OFFICIAL				TITLE Chief, Support Services Branch		

INSTRUCTIONS TO PUBLISHERS

Extreme care should be exercised to insure that the specifications for advertising to be set other than solid be definite, clear, and specific since no allowance will be made for paragraphing or for display or leaded or prominent headings, unless specifically ordered, or for additional space required by the use of type other than that specified. Specifications for advertising other than solid and the advertisement copy submitted to the publisher will be attached to the voucher. The following is a sample of solid line advertisement set up in accordance with the usual Government requirements.

DEPARTMENT OF HIGHWAYS & TRAFFIC.
D.C. Bids are requested for first laying 1965 cement concrete repair contract, including incidental work, Washington, D.C., Invitation No. C-3675-R, consisting of 11,000 sq. yds. PCC Class BB sidewalk repair and 2,000 cu. yds. PCC Class A pavement, alley, & driveway repair, both cut repairs only. Bidding material available from the Procurement Officer, D.C. Sealed bids to be opened in the Procurement Office at 3:00 p.m., November 15, 1965.

Your bill for this advertising order should be submitted on the "Public Voucher for Advertising" form, which is printed on the reverse of this form, immediately after the last publication of the advertisement. If copies of the printed advertisement are not available, complete the affidavit provided on the voucher. Submit the voucher and a copy of the printed advertisement to >.....

**US Environmental Protection Agency
Financial Management Office (M-27)
215 Fremont Street
San Francisco, CA 94105
IMPORTANT**

Charges for advertising when a cut, matrix, stereotype or electrotype is furnished will be based on actual space used and no allowance will be made for shrinkage.

In no case shall the advertisement extend beyond the date and edition stated in this order.

Starts Permit File

PUBLIC VOUCHER FOR ADVERTISING

DEPARTMENT OR ESTABLISHMENT, BUREAU OR OFFICE

PLACE VOUCHER PREPARED

DATE PREPARED

SCHEDULE NUMBER

NAME OF PUBLICATION

PAID BY

NAME OF PUBLISHER OR REPRESENTATIVE

ADDRESS (Street, room number, city, State, and ZIP code)

CHARGES

TYPEFACE	(size of type)	POINT PER	(inch, square, word, or folio)
	NUMBER OR LINES (Indicate counted or space)	COST PER LINE	TOTAL COST
Line Rates	FIRST INSERTION	\$	\$
	ADDITIONAL INSERTIONS GIVE NUMBER ▶		
	TOTAL		\$
	NUMBER OF UNITS (Indicate inch, square, word, folio)	COST PER UNIT	TOTAL COST
Other Rates	FIRST INSERTION	\$	\$
	ADDITIONAL INSERTIONS GIVE NUMBER ▶		
	TOTAL		\$

Attach one copy of advertisement (including upper and lower rules) to each copy of voucher here. If copy is not available sign the following affidavit.

TOTAL LINE RATES
AND OTHER RATES

LESS DISCOUNT AT %

BALANCE DUE

\$

VERIFIED (Initials)

AFFIDAVIT

This represents a true billing for the attached advertising order, with specifications and copy, which has been completed.

SIGNATURE OF PUBLISHER OR REPRESENTATIVE

TITLE

DATE

FOR AGENCY USE ONLY

ADVERTISEMENT PUBLISHED IN

DATE PUBLISHED

I certify that the advertisement described above appeared in the named publication and that this account is correct and eligible for payment.

SIGNATURE AND TITLE OF CERTIFYING OFFICER

DATE

SIGNATURE AND TITLE OF AUTHORIZING OFFICER

DATE

ACCOUNTING CLASSIFICATION

PAID BY CHECK NUMBER

Airline Overbooking

MICHAEL CONLON travelers who are from an overbook- are due compensa- But what happens they are given a seat er plane which the calls the "second of the same flight? ublic interest group, iation Consumer Project, says that ened. In one case ar, two bumped rs were placed on ond section" of a hich left four-and- hours after the or "first section,"

ose two passengers old they weren't or Denied Boarding ation because they on the "same" despite its lateness. ally, a person who ntarily bumped gets is or her ticket and on top of that, the the fare to the destination (with a of \$37.50 and a n of \$200). the airline can't bumped passenger er plane to reach nation within two the original flight ours for inter- hops) the amount

of compensation doubles.

But, because of the experience of the two travelers who got no compensation even though they left four-and-one-half hours late, the Washington-based group petitioned the Civil Aeronautics Board (CAB) to clarify the passengers rights in such situations.

The CAB recently issued a proposed rule which said Denied Boarding Compensation must be paid to bumped passengers if the second section pulls away from the terminal more than one hour after the original flight.

In addition, it would be illegal for an airline to deliberately hold up the departure of the original flight just so the second section would leave within an hour of it.

The CAB also said it wants to amend current rules which require airlines to give bumped passengers a written explanation of their rights. Under the change the same information would be given to such passengers transferred to a second section "so that they will know their rights if the plane is delayed more than one hour."

The Civil Aeronautics Board (CAB) is considering extending its "bumping rules" to cover smaller commuter carriers in the 30-to-60 seat range.

Under current CAB rules, uncertificate carriers such as commuters and other air taxis are exempt from having to compensate passengers who are involuntarily bumped from a flight because of overbooking.

According to current rules, if a flight is overbooked the carrier must first ask for volunteers who are willing to give up their seats in exchange for a designated payment by the carrier.

If there are not enough volunteers, the carrier may bump the remaining passengers who then are entitled to an immediate compensa-

tion of between \$75 and \$400, depending on the price of the ticket or any remaining unused portion. If the carrier arranges alternate air transportation, or the passenger accepts other transportation, scheduled to arrive at the next stopover or destination no later than two hours after the original flight — four hours in the

case of foreign the compensat half.

A spokesm CAB said th blem with the is that a num aircraft oper claimed that i pose on ther financial and burden than operating large

CAB May Extend "Bumping Ru

Community Christian Church nuu'uli

worship · fellowship · praise · commitment

That's what we're about.
Giving worship to God
Enjoying fellowship with friends
Praising our Lord Jesus Christ
Commitment to God and one

SUNDAY SCHOOL all ages **NURSERY**
ALL ARE WELCOME 688-9865
we meet in the nazarene church
sunday sch. 10 am - service 11 am
- visitors call for a ride -

OLYMPUS

- * CAMERAS
- * PEARLCORDERS

available at
PACIFIC PRODUCTS
Industrial Park
Tafuna
Phone: 639-9140

PAELO POVI MASIMA

OGA I SO'O SE

FAATAU LE

NOTICE

by the

On an Application for a National Pollutant Discharge Elimination System Permit to Discharge Pollutants to Waters of the United States

AS-80-1-W

On August 10, 1979, the Regional Administrator, Region IX, Environmental Protection Agency, gave public notice of his proposed determination and intent to issue a National Pollutant Discharge Elimination System (NPDES) permit to discharge pollutants to the waters of the United States to the applicant listed below.

The Regional Administrator's final determination has been substantially revised from his proposed determination. Pursuant to 40 CFR 125.35, the Regional Administrator is giving public notice of such determination regarding the following applicant:

Starkist Samoa, Inc.
P.O. Box 368
Pago Pago
Tutuila Island, American Samoa 96799
NPDES Permit No. AS00000019

The applicant operates a tuna cannery (Standard Industrial Classifications 2091/2092) located in Pago Pago on the Island of Tutuila in American Samoa. The existing discharge (001) consists of wastewater from the following tuna process operations: thawing, butchering, cooking, cleaning, retorting, clean-up, and non-contact cooling water. This existing discharge is into Pago Pago Harbor through an outfall 250 feet from shore and 85 feet deep located at latitude 14 degree 16'20" S, longitude 170 degree 41' 10" W. The beneficial uses of the waters of Pago Pago Harbor are industrial water supply, propagation of fish and other aquatic life and wildlife, esthetic enjoyment, and primary contact recreation.

Van Camp Sea Food Company
Division of Ralston Purina Company
Pago Pago, American Samoa 96799
NPDES Permit No. AS0000027

The applicant operates a tuna cannery (Standard Industrial Classifications 2091/2092) located in Pago Pago on the Island of Tutuila in American Samoa. The existing discharge (001) consists of wastewater from the following tuna process operations: butchering, cooking, cooling, cleaning, packing, retorting, scrap reduction, thawing, boilers, condensers, and defrost. This existing discharge is into Pago Pago Harbor through an outfall 125 feet from shore and 55 feet deep located at latitude 14 degree 16'26" S, longitude 170 degree 41'08" W. The beneficial uses of the waters of Pago Pago Harbor are industrial water supply, propagation of fish and other aquatic life and wildlife, esthetic enjoyment, and primary contact recreation.

Part I.A.1 (a) of the permits has been modified as follows:

- 1) Additional monitoring requirements have been added;
Total Phosphorous Once monthly



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

215 Fremont Street
San Francisco, Ca. 94105

In reply E-4-1
Refer to: 861.C

Van Camp Sea Food Company
Division Of Ralston Purina Company
Pago Pago, American Samoa 96920

29 MAY 1980

Enclosed is a copy of a public notice of a proposed modification of the National Pollutant Discharge Elimination System (NPDES) permit for:

Discharger

NPDES No.

Van Camp Sea Food Company

AS0000027

Comments on the proposed modifications, or a request for a public hearing, may be submitted to this office within thirty (30) days following the date of this Public Notice. If the Regional Administrator finds a significant degree of public interest exists, a public hearing shall be held. If no hearing is held, we expect to issue the permit modifications shortly after the expiration date of the thirty day comment period.

If you have any questions, please call our Permits Branch at (415) 556-3450.

Sincerely yours,

William H. Pierce
William H. Pierce
Chief, Permits Branch
Enforcement Division

Enclosure

cc: Env. Quality Commission, Govt. of American Samoa,
Pago Pago
U.S. Fish and Wildlife Service, Hawaii
U.S. Army Corps of Engineers, Hawaii
U.S. Coast Guard, Hawaii

Com Ctr
PA

5-29-80

yellow

please cover

NOTICE OF PROPOSED ACTION

by the
U.S. Environmental Protection Agency
Region IX
215 Fremont Street
San Francisco, CA. 94105

(415) 556-3450

On Modification of a National Pollutant
Discharge Elimination System Permit to
Discharge Pollutants to Waters of the
United States

PUBLIC NOTICE
AS-80-2-W
May 23, 1980

On April 8, 1980, the Regional Administrator, Region IX, Environmental Protection Agency, issued National Pollutant Discharge Elimination Systems (NPDES) permits to the following dischargers which he now proposes to modify:

Starkist Samoa, Inc.
P.O. Box 368
Pago Pago
Tutuila Island, American Samoa 96799
NPDES Permit No. AS0000019

The applicant operates a tuna cannery (Standard Industrial Classifications 2091/2092) located in Pago Pago on the Island of Tutuila in American Samoa. The existing discharge (001) consists of wastewater from the following tuna process operations: thawing, butchering, cooking, cleaning, retorting, clean-up, and non-contact cooling water. This existing discharge is into Pago Pago Harbor through an outfall 250 feet from shore and 85 feet deep located at latitude 14 degree 16'20" S, longitude 170 degree 41" 10" W. The beneficial uses of the waters of Pago Pago Harbor are industrial water supply, propagation of fish and other aquatic life and wildlife, esthetic enjoyment, and primary contact recreation.

Van Camp Sea Food Company
Division of Ralston Purina Company
Pago Pago, American Samoa 96799
NPDES Permit No. AS0000027

The applicant operates a tuna cannery (Standard Industrial Classification 2091/2092) located in Pago Pago on the Island of Tutuila in American Samoa. The existing discharge (001) consists of wastewater from the following tuna process operations: butchering, cooking, cooling, cleaning, packing, retorting, scrap reduction, thawing, boilers, condensers, and defrost. This existing discharge is into Pago Pago Harbor through an outfall 125 feet from shore and 55 feet deep located at latitude 14 degree 16' 26" S, longitude 170 degree 41" 08" W. The beneficial uses of the waters of Pago Pago Harbor are industrial water supply, propagation of fish and other aquatic life and wildlife, esthetic enjoyment, and primary contact recreation.

NPDES Permit No. AS0000019, Starkist Samoa, Inc., has been modified as follows:

Page 2, Part I.A.1 (a) has been replaced in its entirety with the new page 2 Part I.A.1 (a) attached.

NPDES Permit No. AS0000027, Van Camp Sea Food Co., has been modified as follows:

Page 2, Part I.A.1(a) has been replaced in its entirety with the new page 2 Part I.A.1(a) attached.

This modification has been made because the second pages of both permits were inadvertently transposed prior to issuance.

Persons wishing to comment upon or object to the proposed modification, or request a public hearing pursuant to 40 CFR 125.34, should submit their comments or requests in writing within thirty days from the date of this notice, either in person or by mail to:

U.S. Environmental Protection Agency
Region IX, Enforcement Division, E-4-1
(at the address shown above)

All comments or objection received within thirty days from the date of this notice will be considered in the formulation of the final determinations regarding the permit modification. If written comments indicate a significant degree of public interest in a proposed modification, the Regional Administrator shall hold a public hearing in accordance with 40 CFR 125.34.

If no public hearing is held, final determinations will be made shortly after the close of the comment period. The modification will become effective thirty days following the date when the final determinations are signed.

A request for an adjudicatory hearing may be submitted to the Regional Hearing Clerk within ten days following the signing of the final determinations, in accordance with 40 CFR 125.36. If granted, applicable provisions of the modification will be stayed pending the hearing.

A copy of the proposed modification, fact sheets, if required, and further information may be obtained by writing or calling to the Regional Office of the EPA at the above address.

Please bring the foregoing notice to the attention of all persons whom you know would be interested in this matter.

Part I.

A. Effluent Limitations and Monitoring Requirements (based on a maximum production rate of 210 tons/day of seafood processed and an approximate flow rate of 1.2 MGD (0.53 cubic meters per second)).

1. During the period beginning with the effective date of this permit and lasting through March 31, 1985, the permittee is authorized to discharge from Outfall Serial No. 001 (tuna processing wastewater).

a. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	kg/day 30-Day Average	(lbs/day) Daily Maximum	kg/kg of seafood (lbs/1000 30-Day Average	lbs of seafood) Daily Maximum	Measurement - Sample Frequency Type	
Flow m ³ /Day MGD	—	—	—	—	Continuous	Continuous
Temperature	—	—	—	90 Degree F.	Continuous	Continuous
BOD 5	—	—	—	—	Once Monthly	Composite
Total Suspended Solids	630 (1386)	1540 (3500)	3.3 (3.3)	—	Twice Weekly	Composite
*Oil and ** Grease	154 (350)	406 (882)	0.84 (0.84)	—	Twice Weekly	Discrete
**Total Nitrogen (Kjeldahl+Nitrate +Nitrite)	—	—	—	—	Once Monthly	Composite
**Total Phosphorus—	—	—	—	—	Once Monthly	Composite

*The test procedure for the analysis of oil and grease shall comply with the method described in the manual of "Methods for Chemical Analysis of Water and Wastes," 1974, EPA, Methods Development and Quality Assurance Research Laboratory, page 229 (with written EPA approval for non-substantive changes) or an alternate procedure approved in accordance with the procedures specified in regulations published pursuant to Section 304(h) of the Act.

**Samples shall be taken concurrently.

NPDES Permit No. AS0000027

Part I.

A. Effluent Limitations and Monitoring Requirements (based on a maximum production rate of 225 tons/day of seafood processed and an approximate flow rate of 0.32 MGD (0.014 cubic meters per second)).

1. During the period beginning with the effective date of this permit and lasting through March 31, 1985, the permittee is authorized to discharge from Outfall Serial No. 001 (tuna processing wastewater).

a. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	kg/day 30-Day Average	(lbs/day) Daily Maximum	kg/kg of seafood (lbs/1000 30-Day Average	lbs of seafood) Daily Maximum	Measurement Frequency	Sample Type
Flow m ³ /Day MGD	—	—	—	—	Continuous	Continuous
Temperature	—	—	—	90 Degree F.	Continuous	Continuous
BOD 5	—	—	—	—	Once Monthly	Composite
Total Suspended Solids	680 (1500)	1700 (3750)	3.3 (3.3)	—	Twice Weekly	Composite
*Oil and **Grease	170 (380)	430 (950)	0.84 (0.84)	—	Twice Weekly	Discrete
**Total Nitrogen (Kjeldahl+Nitrate +Nitrite)	—	—	—	—	Once Monthly	Composite
**Total Phosphorus—	—	—	—	—	Once Monthly	Composite

*The test procedure for the analysis of oil and grease shall comply with the method described in the manual of "Methods for Chemical Analysis of Water and Wastes," 1974, EPA, Methods Development and Quality Assurance Research Laboratory, page 229 (with written EPA approval for non-substantive changes) or an alternate procedure approved in accordance with the procedures specified in regulations published pursuant to Section 304(h) of the Act.

**Samples shall be taken concurrently.

Part II.A.6. of the permits has been modified to read as follows:

Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters. This provision does not apply to the dissolved air flotation cell sludge authorized for transportation and dumping into ocean waters in accordance with a permit issued pursuant to the Marine Protection, Research and Sanctuaries Act of 1972 33 U.S.C. 1401-1444. Upon issuance, any such permit is incorporated into this permit by reference.

The permit will become effective thirty days following the date it is signed by the Regional Administrator. A request for an adjudicatory hearing may be submitted to the Regional Hearing Clerk within ten days following the final determination, in accordance with 40 CFR 125.36.

If the Regional Administrator grants a request for an adjudicatory hearing, he shall give public notice of such hearing. Any person may submit a request to be admitted as a party within thirty days after the publication data of the public notice of an adjudicatory hearing. If no adjudicatory hearing is requested, the permit will be issued or denied, as appropriate, and this action will be final.

A copy of the permit and other pertinent documents may be obtained by calling or writing to the Regional Office of EPA at the above address.

Please bring the foregoing notice to the attention of all persons whom you know would be interested in this matter.

VAN CAMP SEA FOOD COMPANY

DIVISION OF RALSTON PURINA COMPANY

11555 SORRENTO VALLEY ROAD • SAN DIEGO, CALIFORNIA 92117

TELEPHONE: (714) 452 - 1900 • CABLE ADDRESS: VAN CAMP S.

RECEIVED
REGION IX
DEC 28 AM '79

December 27, 1978

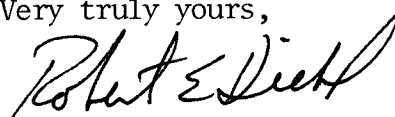
Mr. T. Kremer
Environmental Protection Agency
215 Fremont Street
Region IX
San Francisco, California 94105

Dear Mr. Kremer:

NPDES Permit #AS0000027 issued to Van Camp Sea Food Company, American Samoa, expires at midnight June 1, 1979. In accordance with the applicable regulations which require that a new permit application be submitted within 180 days of the expiration of the existing permit, please find attached a renewal application for the Van Camp Sea Food Company facility in American Samoa. Also attached is our check in the amount of \$100.00 to cover the filing fee for this application.

If you should have any questions regarding the submittal of this application, please contact me.

Very truly yours,



Robert E. Diehl, Director
Division Engineering

ls1

att.



CHICKEN OF THE SEA® BRAND



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

215 Fremont Street
San Francisco, Ca. 94105

NOTICE OF REVISED AND FINAL DETERMINATION

by the

U.S. Environmental Protection Agency
Region IX
215 Fremont Street
San Francisco, Ca. 94105

(415) 556-3450

On an Application for a National Pollutant Discharge Elimination System Permit to Discharge Pollutants to Waters of the United States

PUBLIC NOTICE
AS-80-1-W
April 17, 1980

On August 10, 1979, the Regional Administrator, Region IX, Environmental Protection Agency, gave public notice of his proposed determination and intent to issue a National Pollutant Discharge Elimination System (NPDES) permit to discharge pollutants to the waters of the United States to the applicants listed below.

The Regional Administrator's final determination has been substantially revised from his proposed determination. Pursuant to 40 CFR 125.35, the Regional Administrator is giving public notice of such determination regarding the following applicants:

Starkist Samoa, Inc.
PO Box 368
Pago Pago
Tutuila Island, American Samoa 96799
NPDES Permit No. AS0000019

The applicant operates a tuna cannery (Standard Industrial Classifications 2091/2092) located in Pago Pago on the Island of Tutuila in American Samoa. The existing discharge (001) consists of wastewater from the following tuna process operations: thawing, butchering, cooking, cleaning, retorting, clean-up, and non-contact cooling water. This existing discharge is into Pago Pago Harbor through an outfall 250 feet from shore and 85 feet

- These modifications have been made to assure permit conformance with the Government of American Samoa's conditional certification under provisions of Section 401 of the Clean Water Act.

Part II.A.6. of the permits has been modified to read as follows:

Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters. This provision does not apply to the dissolved air flotation cell sludge authorized for transportation and dumping into ocean waters in accordance with a permit issued pursuant to the Marine Protection, Research and Sanctuaries Act of 1972 33 U.S.C. 1401-1444. Upon issuance, any such permit is incorporated into this permit by reference.

The permit will become effective thirty days following the date it is signed by the Regional Administrator. A request for an adjudicatory hearing may be submitted to the Regional Hearing Clerk within ten days following the final determination, in accordance with 40 CFR 125.36.

If the Regional Administrator grants a request for an adjudicatory hearing, he shall give public notice of such hearing. Any person may submit a request to be admitted as a party within thirty days after the publication data of the public notice of an adjudicatory hearing. If no adjudicatory hearing is requested, the permit will be issued or denied, as appropriate, and this action will be final.

A copy of the permit and other pertinent documents may be obtained by calling or writing to the Regional Office of EPA at the above address.

Please bring the foregoing notice to the attention of all persons whom you know would be interested in this matter.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

215 Fremont Street
San Francisco, Ca. 94105

NOTICE OF REVISED AND FINAL DETERMINATION

by the

U.S. Environmental Protection Agency
Region IX
215 Fremont Street
San Francisco, Ca. 94105

(415) 556-3450

On an Application for a National Pollutant Discharge Elimination System Permit to Discharge Pollutants to Waters of the United States

PUBLIC NOTICE
AS-80-1-W
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Handwritten notes:
Please
4/3/80
4/4/80
AL 4/4

deep located at latitude 14°16'20" S, longitude 170°41'10" W. The beneficial uses of the waters of Pago Pago Harbor are industrial water supply, propagation of fish and other aquatic life and wildlife, esthetic enjoyment, and primary contact recreation.

Van Camp Sea Food Company
Division of Ralston Purina Company
Pago Pago, American Samoa 96920
NPDES Permit No. AS0000027

The applicant operates a tuna cannery (Standard Industrial Classifications 2091/2092) located in Pago Pago on the Island of Tutuila in American Samoa. The existing discharge (001) consists of wastewater from the following tuna process operations: butchering, cooking, cooling, cleaning, packing, retorting, scrap reduction, thawing, boilers, condensers, and defrost. This existing discharge is into Pago Pago Harbor through an outfall 125 feet from shore and 55 feet deep located at latitude 14°16'26" S, longitude 170°41'08" W. The beneficial uses of the waters of Pago Pago Harbor are industrial water supply, propagation of fish and other aquatic life and wildlife, esthetic enjoyment, and primary contact recreation.

Part I.A.1.(a) of the permits has been modified as follows:

- 1) Additional monitoring requirements have been added;
Total Phosphorous Once monthly
Total Nitrogen (Kjeldahl) " "
- 2) Monitoring Frequency for following parameters has been changed from 1 per week to 2 per week
Suspended Solids
Oil & Grease

These modifications have been made to assure permit conformance with the Government of American Samoa's conditional certification under provisions of Section 401 of the Clean Water Act.

Part II.A.6. of the permits has been modified to read as follows:

Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters. This provision does not apply to the dissolved air flotation cell sludge authorized for transportation and dumping into ocean waters in accordance with a permit issued pursuant to the Marine Protection, Research and Sanctuaries Act of 1972 33 U.S.C. 1401-1444. Upon issuance, any such permit is incorporated into this permit by reference.

The permit will become effective thirty days following the date it is signed by the Regional Administrator. A request for an adjudicatory hearing may be submitted to the Regional Hearing Clerk within ten days following the final determination, in accordance with 40 CFR 125.36.

If the Regional Administrator grants a request for an adjudicatory hearing, he shall give public notice of such hearing. Any person may submit a request to be admitted as a party within thirty days after the publication data of the public notice of an adjudicatory hearing. If no adjudicatory hearing is requested, the permit will be issued or denied, as appropriate, and this action will be final.

A copy of the permit and other pertinent documents may be obtained by calling or writing to the Regional Office of EPA at the above address.

Please bring the foregoing notice to the attention of all persons whom you know would be interested in this matter.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

215 Fremont Street
San Francisco, Ca. 94105

NOTICE OF REVISED AND FINAL DETERMINATION

by the

U.S. Environmental Protection Agency
Region IX
215 Fremont Street
San Francisco, Ca. 94105

(415) 556-3450

On an Application for a National Pollutant Discharge Elimination System Permit to Discharge Pollutants to Waters of the United States

PUBLIC NOTICE
AS-80-1-W
April 17, 1980

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The Regional Administrator's final determination has been substantially revised from his proposed determination. Pursuant to 40 CFR 125.35, the Regional Administrator is giving public notice of such determination regarding the following applicants:

Starkist Samoa, Inc.
PO Box 368
Pago Pago
Tutuila Island, American Samoa 96799
NPDES Permit No. AS0000019

The applicant operates a tuna cannery (Standard Industrial Classifications 2091/2092) located in Pago Pago on the Island of Tutuila in American Samoa. The existing discharge (001) consists of wastewater from the following tuna process operations: thawing, butchering, cooking, cleaning, retorting, clean-up, and non-contact cooling water. This existing discharge is into Pago Pago Harbor through an outfall 250 feet from shore and 85 feet

deep located at latitude 14°16'20" S, longitude 170°41'10" W. The beneficial uses of the waters of Pago Pago Harbor are industrial water supply, propagation of fish and other aquatic life and wildlife, esthetic enjoyment, and primary contact recreation.

Van Camp Sea Food Company
Division of Ralston Purina Company
Pago Pago, American Samoa 96920
NPDES Permit No. AS0000027

The applicant operates a tuna cannery (Standard Industrial Classifications 2091/2092) located in Pago Pago on the Island of Tutuila in American Samoa. The existing discharge (001) consists of wastewater from the following tuna process operations: butchering, cooking, cooling, cleaning, packing, retorting, scrap reduction, thawing, boilers, condensers, and defrost. This existing discharge is into Pago Pago Harbor through an outfall 125 feet from shore and 55 feet deep located at latitude 14°16'26" S, longitude 170°41'08" W. The beneficial uses of the waters of Pago Pago Harbor are industrial water supply, propagation of fish and other aquatic life and wildlife, esthetic enjoyment, and primary contact recreation.

Part I.A.1.(a) of the permits has been modified as follows:

- 1) Additional monitoring requirements have been added;
Total Phosphorous Once monthly
Total Nitrogen (Kjeldahl) " "
- 2) Monitoring Frequency for following parameters has
been changed from 1 per week to 2 per week
Suspended Solids
Oil & Grease

These modifications have been made to assure permit conformance with the Government of American Samoa's conditional certification under provisions of Section 401 of the Clean Water Act.

Part II.A.6. of the permits has been modified to read as follows:

Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters. This provision does not apply to the dissolved air flotation cell sludge authorized for transportation and dumping into ocean waters in accordance with a permit issued pursuant to the Marine Protection, Research and Sanctuaries Act of 1972 33 U.S.C. 1401-1444. Upon issuance, any such permit is incorporated into this permit by reference.

The permit will become effective thirty days following the date it is signed by the Regional Administrator. A request for an adjudicatory hearing may be submitted to the Regional Hearing Clerk within ten days following the final determination, in accordance with 40 CFR 125.36.

If the Regional Administrator grants a request for an adjudicatory hearing, he shall give public notice of such hearing. Any person may submit a request to be admitted as a party within thirty days after the publication data of the public notice of an adjudicatory hearing. If no adjudicatory hearing is requested, the permit will be issued or denied, as appropriate, and this action will be final.

A copy of the permit and other pertinent documents may be obtained by calling or writing to the Regional Office of EPA at the above address.

Please bring the foregoing notice to the attention of all persons whom you know would be interested in this matter.

FACT SHEET

Van Camp Sea Food Company
Pago Pago, American Samoa

1. Statutory or Regulatory Provisions

- 33 USC 1251 - The Federal Water Pollution Control Act as amended (P.L. 92-500) enacted October 18, 1972, prohibits any person from discharging pollutants into a waterway from a point source unless his discharge is authorized by a permit issued either by the EPA or by an approved State agency.
- 40 CFR Part 125 published in the Federal Register on May 22, 1973 - 38 F.R. 13528 sets forth regulations for the operation of the permits program.

2. Effluent Limits and Conditions - Source of Derivation

"Development Document for Effluent Limitations Guidelines and Standards of Performance for the Catfish, Crab, Shrimp, and Tuna Segments of the Canned and Preserved Seafood Processing Industry Point Source Category" - EPA-440/1-74-020-a (June 1974) was published for the purpose of developing effluent limitations guidelines for point source process tuna facilities in order to implement Sections 304, 306, and 307 of the FWPCA of 1972. It sets forth the degree of effluent reduction attainable through the application of the "Best Practicable Control Technology Currently Available" and the "Best Available Technology Economically Achievable" which must be achieved by existing point sources by July 1, 1977 and July 1, 1983, respectively. BPCTCA represents technology such as aerated lagoons, activated sludge, or dissolved air flotation. Currently, BATEA is defined as BPCTCA. On August 6, 1979 (44 F.R. No. 152), EPA withdrew its BOD₅ effluent limits for the Tuna Processing Subcategory of the "Guidelines" after conducting analysis of DAF treatment performance data by tuna processing facilities without solubles recovery plants, such as Van Camp in American Samoa. In addition EPA acknowledged that tuna processing facilities without solubles recovery plants were not considered in the development of the "Guidelines," and therefore, case-by-case consideration must be given regarding the appropriate permit limits of such facilities. Table 117 on page 324 of the "Guidelines" was used to derive at effluent limits for conventional pollutants for the permit. The calculation of TSS and O&G are as follows: (BOD₅ was deleted.)

- a. Given: TSS 30-Day AVG = 3.3 lbs/1000 lbs seafood
 TSS Daily Maximum = 8.3 lbs/1000 lbs seafood
 Seafood Production = 225 tons per day

Calculation:

$$\text{TSS 30-Day Avg} = \frac{3.3 \text{ lbs}}{1000 \text{ lbs}} \times 225 \frac{\text{tons}}{\text{day}} \times 2000 \frac{\text{lbs}}{\text{ton}}$$

$$= 1485 \frac{\text{lbs}}{\text{day}}$$

$$= 674 \frac{\text{kg}}{\text{day}} \quad (1485 \times .4536 \text{ kg/lb})$$

$$\text{TSS Daily Max.} = \frac{8.3 \text{ lbs}}{1000 \text{ lbs}} \times 225 \frac{\text{tons}}{\text{day}} \times 2000 \frac{\text{lbs}}{\text{ton}}$$

$$= 3735 \frac{\text{lbs}}{\text{day}}$$

$$= 1694 \frac{\text{kg}}{\text{day}} \quad (3735 \times .4536 \text{ kg/lb})$$

- b. Given: O&G 30-Day AVG = 0.84 lbs/1000 lbs seafood
 O&G Daily Maximum = 2.1 lbs/1000 lbs seafood
 Seafood Production = 225 tons per day

Calculation:

$$\text{O&G 30-Day Avg} = \frac{0.84 \text{ lbs}}{1000 \text{ lbs}} \times 225 \frac{\text{tons}}{\text{day}} \times 2000 \frac{\text{lbs}}{\text{ton}}$$

$$= 378 \frac{\text{lbs}}{\text{day}}$$

$$= 172 \frac{\text{kg}}{\text{day}} \quad (378 \times .4536 \text{ kg/lb})$$

$$\text{O&G Daily Max.} = \frac{2.1 \text{ lbs}}{1000 \text{ lbs}} \times 225 \frac{\text{tons}}{\text{day}} \times 2000 \frac{\text{lbs}}{\text{ton}}$$

$$= 945 \frac{\text{lbs}}{\text{day}}$$

$$= 429 \frac{\text{kg}}{\text{day}} \quad (945 \times .4536 \text{ kg/lb})$$

3. Location of Discharge
 Outfall 001 is discharged into the waters of Pago Pago Harbor.

4. Quantitative Description of Discharge

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	kg/day (lbs/day)		kg/kg of seafood (lbs/1000 lbs of seafood)		Measure-ment Frequency	Sample Type
	30-Day Average	Daily Maximum	30-Day Average	Daily Maximum		
Flow m ³ /Day MGD	-	-	-	-	Contin-uous	Contin-uous
Temperature	-	-	-	90°F	Contin-uous	Contin-uous
BOD ₅	-	-	-	-	Once Monthly	Composite
Total Suspended Solids	680 (1500)	1700 (3750)	3.3 (3.3)	-	Once Weekly	Composite
*Oil and Grease	170 (380)	430 (950)	0.84 (0.84)	-	Once Weekly	Discrete
Total Nitrogen (Kjeldahl+Nitrate+Nitrite)	-	-	-	-	Once Monthly	Composite
Total Phosphorus	-	-	-	-	Once Monthly	Composi

*The test procedure for the analysis of oil and grease shall comply with the method described in the manual of "Methods for Chemical Analysis of Water and Wastes," 1974, EPA, Methods Development and Quality Assurance Research Laboratory, page 229 (with written EPA approval for non-substantive changes) or an alternate procedure approved in accordance with the procedures specified in regulations published pursuant to Section 304(h) of the Act.

5. Variances or Modification Rationale

NOT APPLICABLE

6. State Certification

No official certification received to date. However, a comment letter from the American Samoa Government dated 9-11-79 was received which expressed the following concerns about the draft permit:

- a. Why BOD₅ limits were deleted?
- b. Was there sufficient protection for water quality in light of given permit limits and current waste treatment?
- c. Why not require monitoring for N and P (nutrients) ?
- d. Why not more frequent monitoring for TSS and O&G?
- e. Was there an oversight on the failure to increase the effluent limits in light of the production rate increase from the old permit?

Items c and e were found to be justified and were incorporated into the final permit conditions.

7. Contact Person

Raymond Seid (E-4-2)
Permits Branch
US Environmental Protection Agency
215 Fremont Street
San Francisco, CA 94105
(415) 556-3450

8. Other Information

NPDES Permit #AS0000027 issued by EPA to Van Camp on April 10, 1975, which expired on June 1, 1979.

Permit No. AS0000027

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 USC 1251 et. seq; the "Act"), Van Camp Sea Food Company, Division of the Ralston Purina Company, is authorized to discharge from the Van Camp Sea Food tuna cannery located at Pago Pago, Tutuila Island, American Samoa 96720, Outfall Discharge Serial No. 001 (tuna processing wastewater) Latitude 14° 16'26"S Longitude 170°41'08"W to receiving waters of Pago Pago Harbor in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III hereof.

permit shall become effective on November 1, 1979.

permit and the authorization to discharge shall expire
October 30, 1984.

Signed this ____ day of _____

For the Regional Administrator

Clyde B. Eller

Director

Enforcement Division

Part I.

- A. Effluent Limitations and Monitoring Requirements
(based on a maximum production rate of ²²⁵210 tons/day
of seafood processed and an approximate flow rate of
^{0.53}1.2 MGD (0.53 cubic meters per second)).

1. During the period beginning with the effective
date of this permit and lasting through ^{September 30}September 1,
¹⁹⁸³1983, the permittee is authorized to discharge from
Outfall Serial No. 001 (tuna processing wastewater).

- a. Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>	
	kg/day(lbs/day)		kg/kg of seafood (lbs/1000 lbs of seafood)		Measure- ment Frequency	Sample Type
	30-Day Average	Daily Maximum	30-Day Average	Daily Maximum		
Flow m^3 /Day	-	-	-	-	Contin-	Contin-
MGD					uous	uous
Temperature	-	-	-	90°F	Contin-	Contin-
					uous	uous
BOD₅	-	-	-	-	Once	↑
					Monthly	Composite
Total						
Suspended Solids	680 (1500)	1700 (3750)	3.3 (3.3)	-	Once Weekly	Composite

*Oil and Grease	170 (380)	430 (950)	0.84 (0.84)	-	Once Weekly	Discrete
Total Nitrogen (Kjeldahl + ^N nitrate + + ^N nitrite)	-	-	-	-	Once Monthly	Composite
Total Phosphorus	-	-	-	-	Once Monthly	Composite

*The test procedure for the analysis of oil and grease shall comply with the method described in the manual of "Methods for Chemical Analysis, ^{of} Water and Wastes," 1974, EPA, Methods Development and Quality Assurance Research Laboratory, Page 229 (with written EPA approval for non-substantive ^{changes} charges) or an alternate procedure approved in accordance with the procedures specified in regulations published pursuant to Section 304(h) of the Act.

-
- b. The pH shall not be less than 6.0 standard units or greater than 8.5 standard units and shall be monitored continuously.

- c. There shall be no discharge of floating solids or visible foam in other than trace amounts.
- d. Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge of Outfall Serial No. 001. Effluent samples shall be taken downstream from the treatment works prior to mixing with the receiving waters.
- e. There shall be no discharge of toxic substances that violate the water quality standards for the Territory of American Samoa.
- f. The discharge shall not cause objectionable odors at the surface of the receiving waters.

B. Schedule of Compliance

- 1. The permittee shall comply with effluent limitations established in Part I.A.1. by the effective date of this permit.

2. This ~~perm~~^{it} may be modified, or, alternatively, revoked and reissued, in order to incorporate a schedule of compliance leading to achievement of best conventional pollutant control technology limitations as established by the EPA pursuant to Section 301(b)(2)(E) of the Clean Water Act.

C. Monitoring and Reporting

1. Represent^eative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Reporting

Monitoring results obtained during the previous 3 months shall be summarized for each month and submitted on forms to be supplied by the Regional Administrator, to the extent that the information reported may be entered on the forms. The results of all monitoring required by this permit shall be submitted in such a format as to allow direct comparison of the limitations and requirements of

~~the~~ⁱs permit. Unless otherwise specified, discharge flows shall be reported in terms of the average flow over each 30-day period and the maximum daily flow over that 30⁷-day period. Monitoring reports shall be postmarked no later than the 28th day of the month following the completed reporting period. The first report is due on March 28, 1980. Duplicate signed copies of these, and all other reports required herein, shall be submitted to the Regional Administrator and the Government of American Samoa at the following addresses:

Regional Administrator
Environmental Protection Agency
Region^{IX}, ATTN: E-5
215 Fremont Street
San Francisco CA 94105

Executive Secretary
Environmental Quality Commission
Government of American Samoa
Tutuila, Pago Pago
American Samoa 96920

3. Definitions

- a. The "daily average" discharge means the total discharge by weight during a calendar month divided by the number of days in the month that the production or commercial facility was operating. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of all the measured daily discharged by weight divided by the number of days during the calendar month when the measurements were made.
- b. The "daily maximum" discharge means the total discharge by weight during any calendar day.
- c. Discrete Sample

An individual sample collected in less than 15 minutes.

- sp. d. Composite Sample

A combination of no fewer than ⁹~~eight~~ individual samples obtained at equal time intervals over the specified sampling period. The volume of

each individual sample shall be proportional to the discharge flow rate at the time of sampling. The sampling period shall be the period between 8:00 AM and 4:00 PM for each day of sampling.

e. Seafood

The term "Seafood" shall mean the raw material, including freshwater and saltwater fish and shellfish, to be processed, in the form in which it is received at the processing plant.

4. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304(h) of the Act, under which such procedures may be required.

5. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The exact place, date, and time of sampling;
- b. The dates the analyses were performed;
- c. The person(s) who performed the analyses;
- d. The analytical techniques or methods used; and
- e. The results of all required analyses.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring

shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form (EPA No. 3320-1). Such increased frequency shall also be indicated.

7. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the ~~R~~^egional Administrator ~~of~~^{of} the State water pollution control agency.

8. Monitoring Modification

Monitoring, analytical, and reporting requirements may be modified by the Regional Administrator upon due notice.

9. Monitoring and Reporting.

- a. If fewer than four (4) samples are collected and analyzed during any calendar month, the thirty day average pollutant discharge rate shall not be determined.
- b. If the permittee is unable, for any reason, to comply with any of the effluent limits of this permit, the permittee shall promptly initiate

a monitoring program to analyze the discharge at least once every day for those constituents for which the effluent limits have been violated. Such daily analyses shall continue until such time as the ^eRegional Administrator determines to be appropriate. The results of such monitoring programs shall be included in the Discharge Monitoring Reports required in Part I.C.2.

- c. The permittee shall supply a tabulation of daily numbers of tons seafood processed in accordance with the reporting schedule outlined in Part I.C.2.

Part II

A. MANAGEMENT REQUIREMENTS

1. Change in Discharge

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility

expansions, production increases or process modifications ~~wh~~
~~which will result~~
in new, different, or increased discharges of
pollutants must be reported by submission of a
new NPDES application or, if such changes will
not violate the effluent limitations specified
in this permit, by notice to the permit issuing
authority of such changes. Following such notice,
the permit may be modified to specify and limit
any pollutants not previously limited.

2. Noncompliance Notification

If, for any reason, the permittee does not comply
with or will be unable to comply with any daily
maximum effluent limitation specified in this
permit, the permittee shall provide the Regional
Administrator and the State with the following
information, in writing, within five (5) days
of becoming aware of such condition:

- a. A description of the discharge and cause of
noncompliance; and
- b. The period of noncompliance, including exact
dates and times; or, if not corrected,

the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

3. Facilities Operation

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

4. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to receiving waters resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. Bypassing

Any diversion from or bypass of facilities necessary to maintain compliance with the terms and conditions of ~~the~~^h permit is prohibited, except (i) where unavoidable to prevent loss of life or severe property damage, or (ii) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit. The permittee shall promptly notify the Regional Administrator and the State in writing of each such diversion or bypass in accordance with the procedure specified in Part II.A.2 above.

6. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

7. Safeguards Against Electrical Power Failures

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

- a. Maintain in good working order an alternative power source sufficient to operate the wastewater control facilities;

or, if such alternative power source is not in existence,

- b. Halt, reduce, or otherwise control all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater facilities.

B. RESPONSIBILITIES

1. Right of Entry

The permittee shall allow the head of the State water pollution control agency, the Regional Administrator, and/or their authorized representatives upon the presentation of credentials:

- ← a. To enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- b. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to sample any discharge of pollutants.

2. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Regional Administrator and the State water pollution control agency.

3. Availability of Reports

Except for data determined to be confidential under Section 308 of the Act, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the State water pollution control agency and the Regional Administrator. As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Act.

4. Permit Modification

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;

- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

5. Toxic Pollutants

Notwithstanding Part II.B.4 above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified.

6. Civil and Criminal Liability

Except as provided in permit conditions on "Bypassing" (Part II.A.5) and "Power Failures" (Part II.A.7), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

8. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

9. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

10. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

Part III

A. OTHER REQUIREMENTS

1. Reapplication

If the permittee desires to continue to discharge, he shall reapply not later than 180 days before this permit expires, on the application forms then in use.

2. Water Quality Standard Revision

Should the Water Quality Standards for American Samoa be revised in the future, this new information will constitute grounds for review and possible modification of this permit.

Reading file/Com. Center

E-4-2:RSeid:jd:x3450

9/26,9/27(4):7162,3244,6371,8019,5430,3152,935981,921689

223680,754320,9395

2-Way Memo

Ray-FV1
file

Date - FV14

INSTRUCTIONS	
Use routing symbols whenever possible.	
SENDER:	
Use brief, informal language.	
Conserve space.	
Forward original and one copy.	
RECEIVER:	
Reply below the message, keep one copy, return one copy.	

Subject : Adjudicatory Hearing on Ralston Purina

To : Ted Durst

E-4-2
E-5-2

DATE OF MESSAGE	Routing Symbol
21 Sept 79	E-5-2
SIGNATURE OF ORIGINATOR	
<i>[Signature]</i>	
TITLE OF ORIGINATOR	
MSW	E-2

INITIAL MESSAGE

What is the present status of the NPDES permit to Ralston-Purina? Is the time now up? Can I now ask Hackmann to withdraw the request for Adj. Hrg. and to dismiss his case in the Court of Appeals?

REPLY MESSAGE

As noted in our work planning meeting on 9/21/79. Van Camp has asked for the permit to authorize an alternative analytical procedure for oil and grease. The permit cannot address this issue. Attached is a copy of some correspondence that addresses Van Camps' question. If this will satisfy Hackmann then I see no reason not to issue the permit. We are also in the process of responding to Pati's letter concerning the proposed permit.

I would caution, however, that if we cannot get Hackmann to agree with the above then any effort to issue the permit would be a waste of time. The next move would be up to him.

cc with Marie's response

From :

DATE OF REPLY	Routing Symbol
9-24-79	
SIGNATURE OF REPLIER	
<i>[Signature]</i>	
TITLE OF REPLIER	

Frank Hackmann

Tonnage - OK

Guide for Salt Water WQ Criteria

- ① Oil + Grease method - check with NEIC - make sure the method referenced is the one which they have been using.
- ② Rept to report changes in operation of treatment system. - How far does this go.

Has received letter from Fairai - someone saw discharge from dock - VC will be taking a look at this.

Ray -

I can't find Hackmann's #.
I guess I tossed it out because
he was supposed to call me.
I get in touch with you tomorrow
when he calls.

TK

9/12

40 CFR Part 136.5

314-982-2619

DAF must can handle

Hackman, Frank

1. Max prod 22.5 TPD, therefore adjust

TSS 680 kg/day 1700
(1500) (3750)

OG 170 430
(380) (950)

Fri - 9 AM

2. 8/23, he rec'd draft permit - went to Samson
OG test method.

NEIC agreed to other

VC modified Lipid. extract

used for past few years

40 CFR Barnett Benson NEIC, Denver

128 reg.

Samples of lip solid & OG, no clear

phases of the 2 lipids - get emulsion layer
technical flaw

more accurate method & reproducible for solid waste

if not Frank submit
in writing & will
set it up -
otherwise, use our
methods

Barnett & Samson
alt procedure
& be approved

136.4
applied for alt
test procedure

3. Permit req't - treatment modification - too

broad - ext level of chem & types & dosage

to get better treatment & results - keep DAF &

Screening - "New NPDES applic." to be filed

toxic implications - reported

Ray - regarding your draft response -

Re paragraphs 2, 3, 4 -

The following points should be made:

1. TSS and OG limits will ~~effectively~~ require efficient operation of the DAF treatment systems.
2. We have no evidence that BOD content of the effluent has ever caused a D.O. problem in the receiving waters. While preliminary data from the current water quality survey for the COE indicates potential D.O. problems due to overgrowth of algae resulting from high levels of nutrients, we prefer to wait until GAS acts to revise its water quality standards before ~~requiring~~ imposing additional requirements on the canneries. We have included in the permits clauses which will enable us to modify the
(over)

permits if and when the WQSDs are revised.

I think we should require monitoring of total-N and total-P, on a monthly basis by composite sample.

Para 2, Sentence 1 - confusing - where did they refer to "measurement of BOD"?

Para 3, Sentence 2 - doesn't make sense to me. BAT won't apply to canneries anyway, BCT will. Need to realize that technology level and receiving water quality level are 2 separate, distinct legal requirements, which must both be met.

I recommend you redraft paragraphs 2, 3 and 4, with the above considerations in mind.

TK 9/24

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

~~Department~~
In compliance with the provisions of the ~~Federal Water Pollution Control Act, as amended,~~
(33 U.S.C. ~~1951~~ et. seq; the "Act"),

(leave as is)

Van Camp Sea Food Company, Division Ralston Purina Company

~~the Van Camp Sea Food canning company~~
is authorized to discharge from ~~its~~ [^] facility located at Pago Pago, Tutuila Island, American Samoa 96920)

Discharge 001 (Tuna processing wastewater) Latitude 14°16'26" S
serial No. Longitude 170°41'08" W

~~Discharge 002 (Tuna processing wastewater) Latitude 14°16'26" S
Longitude 170°41'08" W~~

to receiving waters named of

Pago Pago Harbor

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II, and III hereof.

This permit shall become effective on ~~May 10, 1975.~~ TBA

(1 month after date of issue) ?

This permit and the authorization to discharge shall expire at midnight,

July 1, 1983
~~June 1, 1979~~ ?

Signed this ~~10th~~ day of ~~April, 1975.~~

TBA (date of signing) ?

For the Regional Administrator

Clyde B.
Eller

~~Harold H. Conner~~
Director, Enforcement Division

- 225
- A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS
1. During the period beginning ~~September 1, 1974~~ July 1, 1979 and lasting through ~~June 1, 1979~~ July 1, 1983 the permittee is authorized to discharge from outfall(s) serial number(s) ~~001 and 002 combined~~ (Tuna processing wastewater).
- a. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations		Monitoring Requirements	
	kg/day (lbs/day)	(lbs/1000 lbs of seafood)	Measurement	Sample Type
Flow—m ³ /Day (MGD)	---	---	Continuous	Continuous
Temperature	---	---	Continuous	Continuous
Biochemical Oxygen Demand (5-day)	1500 <u>4800</u> (3200) (<u>10,500</u>)	3600 <u>12,000</u> (8000) (<u>26,200</u>)	Twice <u>once</u> Weekly	Composite
Total Suspended Solids 550	1300	3.3	Twice <u>once</u> Weekly	Composite
*Oil and Grease	130	0.84	Twice <u>once</u> Weekly	Discrete

- b. The pH shall not be less than 6.0 standard units nor greater than 8.5 standard units and shall be monitored continuously.
- c. There shall be no discharge of floating solids or visible foam in other than trace amounts.

- d. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): ~~At outfall(s) serial number(s) 001 and 002. Effluent samples shall be taken from outfall(s) 001 and 002.~~
- * The test procedure for the analysis of oil and grease shall comply with the method described in "Methods for Chemical Analysis of Water and Wastes", 1971, Environmental Protection Agency, Analytical Quality Control Laboratory, page 217 or an alternate procedure approved in accordance with the procedures specified in regulations published in accordance with Section 304(g) of the Act.

- e. There shall be no discharges of this substance that would be in violation of the Act.
- f. The discharges shall not cause objectionable odors at the outfall(s) if the receiving water is of the quality specified in the receiving water.

PART I

Page 2 of 11
Permit No. AS00000027

B. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

NOT APPLICABLE - the permittee shall immediately comply with June 1, 1979 the effluent limitations established in I.A.1.

- a. ~~As of September 1, 1974 the permittee shall comply with the effluent limitations established in I.A.1.~~
- b. ~~Within sixty (60) days of the effective date this permit, the permittee shall provide to the Regional Administrator an Implementation Schedule for an abatement program to achieve, by January 1, 1976, the condition established in II.A.7. Upon approval of the Regional Administrator the final and interim dates contained in this schedule shall become a condition of this permit.~~

2. No later than 14 calendar days following ~~a date identified in the above schedule of compliance~~, the permittee shall submit ~~either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.~~

the effective date of this permit
as estimate of time for meeting the effluent
limitation established in Part I.A.1

C. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Reporting

submitted on forms to be supplied by the Regional Administrator, to the extent that the information reported may be entered on the forms. The results of all monitoring required by this permit shall be submitted in such a format as to allow direct comparison with monitoring and reports of this permit. (Other than those specified in the permit)

Monitoring results obtained during the previous 3 months shall be summarized for each month and, ~~reported on a Discharge Monitoring Report Form (EPA No. 3320-1)~~, *in form of pre* postmarked no later than the 28th day of the month following the completed reporting *merge flow* period. The first report is due on ~~December 28, 1974~~ *September 28, 1979*. Duplicate signed copies of *one each* these, and all other reports required herein, shall be submitted to the Regional *3-day mail* Administrator and the State at the following addresses: *and per month*

Regional Administrator
Environmental Protection Agency
Region IX Attn: ~~ENCN E-5~~
~~100 California Street~~ **215 FREMONT STREET**
San Francisco, CA ~~94111~~ **94105**

Executive Secretary
Environmental Quality Commission
Government of Samoa
Futuila, Pago Pago
American Samoa 96920

3. Definitions

- a. The "daily average" discharge means the total discharge by weight during a calendar month divided by the number of days in the month that the production or commercial facility was operating. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of all the measured daily discharges by weight divided by the number of days during the calendar month when the measurements were made.

- b. The "daily maximum" discharge means the total discharge by weight during any calendar day.

4. Test Procedures

C. Airside sample (see pg 11) d. "Composite Sample"
C. Sanford

Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304(g) of the Act, under which such procedures may be required.

5. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- The exact place, date, and time of sampling;
- The dates the analyses were performed;
- The person(s) who performed the analyses;

d. The analytical techniques or methods used; and

e. The results of all required analyses.

6. *Additional Monitoring by Permittee*

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form (EPA No. 3320-1). Such increased frequency shall also be indicated.

7. *Records Retention*

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Regional Administrator or the State water pollution control agency.

8. *Monitoring Modifiers*

Monitoring, analytical, and reporting requirements may be modified by the Regional Administrator upon demonstration.

9. C

10. D

A. MANAGEMENT REQUIREMENTS

1. *Change in Discharge*

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, ~~treatment modifications~~ or process modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new NPDES application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the permit issuing authority of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

2. *Noncompliance Notification*

If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum effluent limitation specified in this permit, the permittee shall provide the Regional Administrator and the State with the following information, in writing, within five (5) days of becoming aware of such condition:

- a. A description of the discharge and cause of noncompliance; and
- b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

3. *Facilities Operation*

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

4. *Adverse Impact*

The permittee shall take all reasonable steps to minimize any adverse impact to ~~navigable~~ ^{receiving} waters resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. *Bypassing*

Any diversion from or bypass of facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited, except (i) where unavoidable to prevent loss of life or severe property damage, or (ii) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit. The permittee shall promptly notify the Regional Administrator and the State in writing of each such diversion or bypass ^{in accordance with} the procedure specified in Part II.A.2. above.

6. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

7. Power Failures

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

- a. ~~In accordance with the Schedule of Compliance contained in Part I, provide an~~ *Maintain in good working order an alternative power source sufficient to* alternative power source sufficient to operate the wastewater control facilities;

or, if such alternative power source is not in existence, ~~and no date for its implementation appears in Part I,~~ *shall :*

- b. Halt, reduce or otherwise control ~~production and/or~~ all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater ~~control~~ facilities.

B. RESPONSIBILITIES

1. Right of Entry

The permittee shall allow the head of the State water pollution control agency, the Regional Administrator, and/or their authorized representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- b. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to sample any discharge of pollutants.

2. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Regional Administrator and the State water pollution control agency.

3. Availability of Reports

Except for data determined to be confidential under Section 308 of the Act, all reports prepared in accordance with the terms of this permit shall be available for public

inspection at the offices of the State water pollution control agency and the Regional Administrator. As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Act.

4. *Permit Modification*

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

5. *Toxic Pollutants*

Notwithstanding Part II, B-4 above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified.

6. *Civil and Criminal Liability*

Except as provided in permit conditions on "Bypassing" (Part II, A-5) and "Power Failures" (Part II, A-7), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. *Oil and Hazardous Substance Liability*

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

8. *State Laws*

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

9. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

10. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

PART III

OTHER REQUIREMENTS

A. Effluent Limitations and Monitoring Requirements.

Omit
The discharge shall not cause objectionable odors at the surface of the receiving waters.

C. Monitoring and Reporting.

1. If fewer than four (4) samples are collected and analyzed during any calendar month, the thirty day average pollutant discharge rate shall not be determined.
2. If the permittee is unable, for any reason, to comply with any of the effluent limits of this permit, the permittee shall promptly initiate a monitoring program to analyze the discharge at least once every day for those constituents for which the effluent limits have been violated. Such daily analyses shall continue until such time as the Regional Administrator determines to be appropriate. The results of such monitoring programs shall be included in the Discharge Monitoring Reports required ~~by condition~~ *in* ~~Part I.C.2.~~ *Part I.C.2.*

3. The permittee shall supply a tabulation of daily numbers of tons seafood processed in accordance with the reporting schedule outlined in Part I.C.2.

4. Additional Definitions.

omit

2. Implementation Schedule (Schedule of Compliance)

Composed of two integral parts:

- (1) plan - description of new or modified facilities to treat and dispose of the effluent;
- (2) compliance schedule - a timetable setting forth the date by which all wastewaters will be in compliance with the effluent limitations of the permit. The schedule shall include (if appropriate) dates by which the permittee will accomplish:
 1. Completion of a preliminary engineering plan reports;
 2. Completion of construction plans and specifications;
 3. Initiation of construction;
 4. Completion of construction;
 5. Demonstration of compliance with effluent limitations.

a. *b.* Discrete Sample

An individual sample collected in less than 15 minutes

b. *d.* Composite Sample

A combination of no fewer than eight individual samples obtained at equal time intervals over the specified sampling period. The volume of each individual sample shall be proportional to the discharge flow rate at the time of sampling. The sampling period shall be the period between 8:00 AM and 4:00 PM for each day of sampling.

c. *d.* Seafood

The term "seafood" shall mean the raw material, including freshwater and saltwater fish and shellfish, to be processed, in the form in which it is received at the processing plant.

A. Reapplication

If the permittee desires to continue to discharge, he shall reapply not later than 180 days before this permit expires, on the application forms then in use.

~~Compliance~~ ^{Person} ~~effluent limitations and monitoring~~ ^{rights of Part I A} shall be adhered to. However, the Regional Administrator may, upon request of the applicant, and after public notice, revise or modify ~~a schedule of compliance~~ in an issued permit if he determines good and valid cause (such as an act of God, strike, flood, materials shortage, or other event over which the permittee has little or no control) exists for such revision.

~~With Analytical Standards~~ ^{Industry Review} ~~shall be~~ ^{used only} ~~for~~ ^{for processing} ~~the~~ ^{the} ~~industry~~ ^{industry} be revised in the future, should the guidelines ~~for the~~ ^{for the} ~~industry~~ ^{industry} be revised ~~for~~ ^{for} ~~the~~ ^{the} ~~future~~ ^{future}, should other relief be ~~conferred~~ ^{conferred} ~~to other~~ ^{to other} ~~types~~ ^{types} ~~of~~ ^{of} ~~processing~~ ^{processing} plants, this new information will ~~be~~ ^{be} ~~submitted~~ ^{submitted} ~~for~~ ^{for} ~~review~~ ^{review} and possible modification of this permit.

B. ~~Provisions~~ ^{Provisions}

~~This part shall be~~

~~The~~ ^{The} permittee shall monitor for BOD₅ on a frequency of not less than biweekly and the results tabulated and reported every 3 months ~~as~~ ^{similar to} Part I, C. 2. The first report is due ~~on~~ ^{on} ~~the~~ ^{the} ~~reporting~~ ^{reporting} ~~period~~ ^{period} of ~~T&A 1.1~~ ^{T&A 1.1}.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

215 Fremont Street
San Francisco, Ca. 94105

JOINT NOTICE OF PROPOSED ACTION

by the

U.S. Environmental Protection
Agency, Region IX
215 Fremont Street
San Francisco, Ca. 94105

Environmental Quality Commission
Government of American Samoa
Tutuila, Pago Pago
American Samoa 96920

(415) 556-3450

On Application for National
Pollutant Discharge Elimina-
tion System Permit to Discharge
Pollutants to Waters of the
United States

On Application for Certification
for Compliance with Applicable
Effluent Limitations and Appro-
priate Requirements of State Law

Public Notice AS-79-1-W

August 10, 1979

On the basis of preliminary review of the requirements of the Federal Water Pollution Control Act (the Act), as amended, and implementing regulations, the Regional Administrator, Region IX, EPA proposes to issue NPDES permits to the following applicants, subject to certain effluent limitations and special conditions:

Van Camp Sea Food Company
Division of Ralston Purina Company
Pago Pago, American Samoa 96920
NPDES Permit No. AS0000027

The applicant operates a tuna cannery (Standard Industrial Classifications 2091/2092) located in Pago Pago on the Island of Tutuila in American Samoa. The existing discharge (001) consists of wastewater from the following tuna process operations: butchering, cooking, cooling, cleaning, packing, retorting, scrap reduction, thawing, boilers, condensers, and defrost. This existing discharge is into Pago Pago Harbor through an outfall 125 feet from shore and 55 feet deep located at latitude 14°16'26" S, longitude 170°41'08" W. The beneficial uses of the waters of Pago Pago Harbor are industrial water supply, propagation of fish and other aquatic life and wildlife, esthetic enjoyment, and primary contact recreation.

The State is considering a request to certify the discharges described above, pursuant to Section 401 of the Act. The certification will set forth any limitations and monitoring requirements necessary to assure compliance with any applicable effluent limitations and other limitations, under Sections 301 and 302 of the Act, standard of performance under Section 306 of the Act, or prohibition, effluent standard, or pretreatment standard under Section 307 of the Act, and any other appropriate requirement of State law. No permit will be granted if certification is denied by the State.

Persons wishing to comment upon or object to the proposed determinations or request a public hearing pursuant to 40 CFR 125.34 should submit their comments or request in writing, within thirty days from the date of this notice, either in person or by mail to:

U.S. Environmental Protection Agency
Region IX, Enforcement Division, E-4-1
(at the address shown above)

All comments or objections received within thirty days from the date of this notice, will be considered in the formulation of the final determinations regarding the applications. If written comments indicate a significant degree of public interest in a proposed permit, the Regional Administrator shall hold a public hearing in accordance with 40 CFR 125.34.

If no public hearing is held, final determinations will be made shortly after the close of the comment period. The permit will become effective thirty days following the date when final determinations are signed.

A request for an adjudicatory hearing may be submitted to the Regional Hearing Clerk within ten days following the final determinations, in accordance with 40 CFR 125.36. If granted, applicable provisions of the permit will be stayed pending the hearing.

Persons wishing to comment upon or object to certification by the State or request a public hearing should submit their comments or requests in writing within thirty days from the date of this notice, either in person or by mail to the State at the address given above.

The applications, proposed draft permits, and other pertinent documents may be examined or copied at the offices of the Environmental Protection Agency or the State agency named above.

A copy of the draft permit, and other pertinent documents, may be obtained by calling or writing to the Regional Office of EPA at the above address.

Please bring the foregoing notice to the attention of all persons whom you know would be interested in this matter.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

215 Fremont Street
San Francisco, Ca. 94105

In reply refer to: E-4-1
861.C

Van Camp Sea Food Company
Division of Ralston Purina Co.
Pago Pago, American Samoa 96920

Dear Sir:

AUG 10 1979

We consider your application for a National Pollutant Discharge Elimination System (NPDES) permit to be complete and propose to issue the enclosed draft permit to:

Discharger

NPDES No.

Van Camp Sea Food Company

AS0000027

Within 30 days we plan to issue a public notice of the proposed actions regarding the application. If the public notice generates sufficient interest, a public hearing shall be held. We would appreciate any comments you have regarding the proposed actions prior to the time of public notice, if possible. Comments will be received for a period of 30 days following the public notice.

If you have any questions, please call our Permits Branch at 415/556-3450.

Sincerely,

A handwritten signature in cursive script, reading "David P. Howekamp".

David P. Howekamp
Chief, Permits Branch
Enforcement Division

Enclosure

cc: Env. Quality Commission, Govt. of American Samoa,
Pago Pago
U.S. Fish and Wildlife Service, Honolulu
U.S. Army Corps of Engineers, Hawaii
U.S. Coast Guard, Honolulu ✓



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

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San Francisco, Ca. 94105

JOINT NOTICE OF PROPOSED ACTION

by the

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Environmental Quality Commission
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Region IX, Enforcement Division, E-4-1
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REGION IX

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In reply refer to: E-4-1
861.C

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Pago Pago, American Samoa 96920

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If you have any questions, please call our Permits Branch at 415/556-3450.

Sincerely,

David P. Howekamp
Chief, Permits Branch
Enforcement Division

Enclosure

cc: Env. Quality Commission, Govt. of American Samoa,
Pago Pago
U.S. Fish and Wildlife Service, Honolulu
U.S. Army Corps of Engineers, Hawaii
U.S. Coast Guard, Honolulu

8/10/79

Com CTO
8-10-79

Yellow

DEPARTMENT OR ESTABLISHMENT, BUREAU OR OFFICE

DATE

U. S. Environmental Protection Agency, Region IX

8/3/79

The publisher of the publication named below is authorized to publish the enclosed advertisement according to the schedule below provided the rates are not in excess of the commercial rates

charged to private individuals with the usual discounts. It is to be set solid, without paragraphing, and without any display in the heading unless otherwise expressly authorized in the specifications.

NAME OF THE PUBLICATION ADVERTISED IN

SAMOA NEWS LTD., PO Box 57, Pago Pago, American Samoa 96799

SUBJECT OF ADVERTISEMENT

Public Notice No. AS-79-1-W

EDITION OF PAPER ADVERTISEMENT APPEARED

Legal classifieds

NUMBER OF TIMES ADVERTISEMENT APPEARED

One time only.

DATE(S) ADVERTISEMENT APPEARED

August 10, 1979

SPECIFICATIONS FOR ADVERTISEMENT

PLEASE NOTE: PAYMENT CANNOT BE MADE UNTIL THE BACK OF THIS FORM IS COMPLETED. ALSO SUBMIT TWO (2) COPIES OF AFFIDAVIT OF PUBLICATION.

PLEASE NOTE: Please expedite; must be published before 8/13/79

COPY FOR ADVERTISEMENT

SEE ATTACHED.

Accounting Data		ORDER NO.	ACCT. NO.	OC	ESTIMATED COST	FC
CC10-14	DCN CC15-20					
0501	RAO-1	00004400	968009K000	2540	\$200.	N.
AUTHORITY TO ADVERTISE				INSTRUMENT OF ASSIGNMENT		
NUMBER				NUMBER		
EPA Order 1210.5a				N/A		
DATE				DATE		
December 13, 1973				N/A		
SIGNATURE OF AUTHORIZING OFFICIAL				TITLE		
				Chief, Support Services Branch		

INSTRUCTIONS TO PUBLISHERS

Extreme care should be exercised to insure that the specifications for advertising to be set other than solid be definite, clear, and specific since no allowance will be made for paragraphing or for display or leaded or prominent headings, unless specifically ordered, or for additional space required by the use of type other than that specified. Specifications for advertising other than solid and the advertisement copy submitted to the publisher will be attached to the voucher. The following is a sample of solid line advertisement set up in accordance with the usual Government requirements.

DEPARTMENT OF HIGHWAYS & TRAFFIC.
D.C. Bids are requested for first spring 1966 cement concrete repair contract, including incidental work, Washington, D.C., Invitation No. C-5576-H, consisting of 11,000 sq. yds. PCC Class BB sidewalk repair and 2,000 cu. yds. PCC Class A pavement, alley, & driveway repair, both cut repairs only. Bidding material available from the Procurement Officer, D.C. Sealed bids to be opened in the Procurement Office at 3:00 p.m., November 15, 1966.

Your bill for this advertising order should be submitted on the "Public Voucher for Advertising" form, which is printed on the reverse of this form, immediately after the last publication of the advertisement. If copies of the printed advertisement are not available, complete the affidavit provided on the voucher. Submit the voucher and a copy of the printed advertisement to ►

US Environmental Protection Agency
Financial Management Office (M-2)
215 Fremont Street
San Francisco, CA 94105
IMPORTANT

Charges for advertising when a cut, matrix, stereotype or electrotype is furnished will be based on actual space used and no allowance will be made for shrinkage.

In no case shall the advertisement extend beyond the date and edition stated in this order.

PUBLIC VOUCHER FOR ADVERTISING

DEPARTMENT OR ESTABLISHMENT, BUREAU OR OFFICE

For Agency Use Only

PLACE VOUCHER PREPARED

DATE PREPARED

VOUCHER NUMBER

SCHEDULE NUMBER

NAME OF PUBLICATION

PAID BY

NAME OF PUBLISHER OR REPRESENTATIVE

ADDRESS (Street, room number, city, State, and ZIP code)

CHARGES

TYPEFACE

(size of type)

(inch, square, word, or folio)

POINT PER

Line Rates

NUMBER OR LINES (Indicate counted or space)

COST PER LINE

TOTAL COST

FIRST INSERTION

ADDITIONAL INSERTIONS
GIVE NUMBER ▶

TOTAL

Other Rates

NUMBER OF UNITS (Indicate inch, square, word, folio)

COST PER UNIT

TOTAL COST

FIRST INSERTION

ADDITIONAL INSERTIONS
GIVE NUMBER ▶

TOTAL

Attach one copy of advertisement (including upper and lower rules) to each copy of voucher here. If copy is not available sign the following affidavit.

TOTAL LINE RATES
AND OTHER RATES

LESS DISCOUNT AT
%

BALANCE DUE

VERIFIED (Initials)

AFFIDAVIT

This represents a true billing for the attached advertising order, with specifications and copy, which has been completed.

SIGNATURE OF PUBLISHER OR REPRESENTATIVE

TITLE

DATE

FOR AGENCY USE ONLY

ADVERTISEMENT PUBLISHED IN

DATE PUBLISHED

I certify that the advertisement described above appeared in the named publication and that this account is correct and eligible for payment.

SIGNATURE AND TITLE OF CERTIFYING OFFICER

DATE

SIGNATURE AND TITLE OF AUTHORIZING OFFICER

DATE

ACCOUNTING CLASSIFICATION

PAID BY CHECK NUMBER

If the ability to certify and authority to approve are combined in one person enter "N/A" (not applicable) here.

☆ U. S. GPO: 1977-0-241-330/1777



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REGION IX

215 Fremont Street
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by the

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On Application for National
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Pago Pago, American Samoa 96920
NPDES Permit No. AS0000027

The applicant operates a tuna cannery (Standard Industrial Classifications 2091/2092) located in Pago Pago on the Island of Tutuila in American Samoa. The existing discharge (001) consists of wastewater from the following tuna process operations: butchering, cooking, cooling, cleaning, packing, retorting, scrap reduction, thawing, boilers, condensers, and defrost. This existing discharge is into Pago Pago Harbor through an outfall 125 feet from shore and 55 feet deep located at latitude 14°16'26" S, longitude 170°41'08" W. The beneficial uses of the waters of Pago Pago Harbor are industrial water supply, propagation of fish and other aquatic life and wildlife, esthetic enjoyment, and primary contact recreation.

Concur
R. Ladd

8/3/79

E-2
Kramer
8-3-79

ff
8/3/79

E-1
8/3/79

E-1
8/3/79

Com
8/3/79

The State is considering a request to certify the discharges described above, pursuant to Section 401 of the Act. The certification will set forth any limitations and monitoring requirements necessary to assure compliance with any applicable effluent limitations and other limitations, under Sections 301 and 302 of the Act, standard of performance under Section 306 of the Act, or prohibition, effluent standard, or pretreatment standard under Section 307 of the Act, and any other appropriate requirement of State law. No permit will be granted if certification is denied by the State.

Persons wishing to comment upon or object to the proposed determinations or request a public hearing pursuant to 40 CFR 125.34 should submit their comments or request in writing, within thirty days from the date of this notice, either in person or by mail to:

U.S. Environmental Protection Agency
Region IX, Enforcement Division, E-4-1
(at the address shown above)

All comments or objections received within thirty days from the date of this notice, will be considered in the formulation of the final determinations regarding the applications. If written comments indicate a significant degree of public interest in a proposed permit, the Regional Administrator shall hold a public hearing in accordance with 40 CFR 125.34.

If no public hearing is held, final determinations will be made shortly after the close of the comment period. The permit will become effective thirty days following the date when final determinations are signed.

A request for an adjudicatory hearing may be submitted to the Regional Hearing Clerk within ten days following the final determinations, in accordance with 40 CFR 125.36. If granted, applicable provisions of the permit will be stayed pending the hearing.

Persons wishing to comment upon or object to certification by the State or request a public hearing should submit their comments or requests in writing within thirty days from the date of this notice, either in person or by mail to the State at the address given above.

The applications, proposed draft permits, and other pertinent documents may be examined or copied at the offices of the Environmental Protection Agency or the State agency named above.

A copy of the draft permit, and other pertinent documents, may be obtained by calling or writing to the Regional Office of EPA at the above address.

Please bring the foregoing notice to the attention of all persons whom you know would be interested in this matter.

ADVERTISING ORDER

ORDER NUMBER *E/F 712*

DEPARTMENT OR ESTABLISHMENT, BUREAU OR OFFICE

DATE

U. S. Environmental Protection Agency, Region IX

8/3/79

The publisher of the publication named below is authorized to publish the enclosed advertisement according to the schedule below provided the rates are not in excess of the commercial rates

charged to private individuals with the usual discounts. It is to be set solid, without paragraphing, and without any display in the heading unless otherwise expressly authorized in the specifications.

NAME OF THE PUBLICATION ADVERTISED IN

AMERICAN SAMOA NEWS LTD., PO Box 57, Pago Pago, American Samoa 96799

SUBJECT OF ADVERTISEMENT

Public Notice No. AS-79-2-W

EDITION OF PAPER ADVERTISEMENT APPEARED

Legal Classifieds

NUMBER OF TIMES ADVERTISEMENT APPEARED

One time only.

DATE(S) ADVERTISEMENT APPEARED

8/10/79

SPECIFICATIONS FOR ADVERTISEMENT

PLEASE NOTE: PAYMENT CANNOT BE MADE UNTIL THE BACK OF THIS FORM IS COMPLETED. ALSO SUBMIT TWO (2) COPIES OF AFFIDAVIT OF PUBLICATION.

PLEASE NOTE: Please expedite; must be published before 8/13/79

COPY FOR ADVERTISEMENT

VAN CAMP Am. SAMOA

SEE ATTACHED.

Accounting Data							
CC10-14	DCN CC15-20	ORDER NO. CC21-30	ACCT. NO. CC31-40	OC	ESTIMATED COST	FC	
0501	<i>RACBS</i>	0000 <i>EXD</i>	968009K000	2540	\$200.	N-	
AUTHORITY TO ADVERTISE				INSTRUMENT OF ASSIGNMENT			
NUMBER EPA Order 1210.5a				NUMBER N/A			
DATE December 13, 1973				DATE N/A			
SIGNATURE OF AUTHORIZING OFFICIAL <i>Charles D. Miller</i>				TITLE Chief, Support Services Branch			

INSTRUCTIONS TO PUBLISHERS

Extreme care should be exercised to insure that the specifications for advertising to be set other than solid be definite, clear, and specific since no allowance will be made for paragraphing or for display or leaded or prominent headings, unless specifically ordered, or for additional space required by the use of type other than that specified. Specifications for advertising other than solid and the advertisement copy submitted to the publisher will be attached to the voucher. The following is a sample of solid line advertisement set up in accordance with the usual Government requirements.

DEPARTMENT OF HIGHWAYS & TRAFFIC.
D.C. Bids are requested for first spring 1966 cement concrete repair contract, including incidental work, Washington, D.C., Invitation No. C-5816-H, consisting of 11,000 sq. yds. PCC Class BB sidewalk repair and 2,000 cu. yds. PCC Class A pavement, alley, & driveway repair, both cut repairs only. Bidding material available from the Procurement Officer, D.C. Sealed bids to be opened in the Procurement Office at 3:00 p.m., November 15, 1966.

Your bill for this advertising order should be submitted on the "Public Voucher for Advertising" form, which is printed on the reverse of this form, immediately after the last publication of the advertisement. If copies of the printed advertisement are not available, complete the affidavit provided on the voucher. Submit the voucher and a copy of the printed advertisement to ▶

US Environmental Protection Agency
Financial Management Office (M-2)
215 Fremont Street
San Francisco, CA 94105
IMPORTANT

Charges for advertising when a cut, matrix, stereotype or electrotype is furnished will be based on actual space used and no allowance will be made for shrinkage.

In no case shall the advertisement extend beyond the date and edition stated in this order.

DEPARTMENT OR ESTABLISHMENT, BUREAU OR OFFICE

VOUCHER NUMBER

PLACE VOUCHER PREPARED

DATE PREPARED

SCHEDULE NUMBER

NAME OF PUBLICATION

PAID BY

NAME OF PUBLISHER OR REPRESENTATIVE

ADDRESS (Street, room number, city, State, and ZIP code)

CHARGES

TYPEFACE		(size of type)	POINT PER	(inch, square, word, or folio)
		NUMBER OR LINES (Indicate counted or space)	COST PER LINE	TOTAL COST
Line Rates	FIRST INSERTION	One Only	\$	\$ 180.00
	ADDITIONAL INSERTIONS GIVE NUMBER			
	TOTAL			\$
		NUMBER OF UNITS (Indicate inch, square, word, folio)	COST PER UNIT	TOTAL COST
Other Rates	FIRST INSERTION	One time Only	\$	\$ 180.00
	ADDITIONAL INSERTIONS GIVE NUMBER	N/A		
	TOTAL			\$

Attach one copy of advertisement (including upper and lower rules) to each copy of voucher here. If copy is not available sign the following affidavit.

TOTAL LINE RATES
AND OTHER RATES

LESS DISCOUNT AT
%

BALANCE DUE

VERIFIED (Initials)

\$ 180.00

HA

AFFIDAVIT

This represents a true billing for the attached advertising order, with specifications and copy, which has been completed.

SIGNATURE OF PUBLISHER OR REPRESENTATIVE

TITLE

FOR AGENCY USE ONLY

ADVERTISEMENT PUBLISHED IN

DATE PUBLISHED

I certify that the advertisement described above appeared in the named publication and that this account is correct and eligible for payment.

SIGNATURE AND TITLE OF CERTIFYING OFFICER

DATE

SIGNATURE AND TITLE OF AUTHORIZING OFFICER

DATE

ACCOUNTING CLASSIFICATION

PAID BY CHECK NUMBER

If the ability to certify and authority to approve are combined in one person enter "N/A" (not applicable) here.

☆ U. S. GPO: 1977-0-241-530 / 2-70

RECORD OF TELEPHONE CONSERVATION

7-17-79

FROM: RICK BRANDES, PERMITS DIVISION

TO: TOM KREMER

PERMITS DIVISION HAS RECEIVED EFFLUENT GUIDELINES' REVISION OF THE TUNA GUIDELINES. THEY WANTED TO CHECK WITH REGION IX BEFORE CONCURRING ON THE REVISION. RICK READ ME MAJOR PORTIONS OF THE WRITEUP, AND I TOLD HIM WE CONCUR AND THAT, IN FACT, EGD HAD CONSULTED US ON THE WORDING OF THE FEDERAL REGISTER NOTICE PREVIOUSLY AND WE HAD REACHED AGREEMENT. THE ONLY SUBSTANTIVE CHANGE IS THE DELETION OF BOD LIMITATIONS. LANGUAGE IS INCLUDED WHICH SAYS THAT THE RA MAY ADJUST THE TSS LIMITS FOR PLANTS WITHOUT SOLUBLES PROCESSING FACILITIES, IF HE FINDS THAT THE GUIDELINE LIMITS CANNOT BE MET. THE NOTICE ALSO STATES THAT RECENT MONITORING DATA FROM VAN CAMP AND STARKIST SAMOA SHOW COMPLIANCE.

CC: DURST, SEID, E-5, E-2



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX
215 Fremont Street
San Francisco, Ca. 94105

FACT SHEET

Discharger: Van Camp Sea Food Company
Division of Ralston Purina Company
Island of Tutuila
Pago Pago, American Samoa 96920

NPDES Permit No. : AS0000027

Expiration Date: September 1, 1983

Van Camp Sea Food Company has applied to the U.S. Environmental Protection Agency, Region IX, for an NPDES permit to discharge an effluent consisting of wastewater from tuna processing operations into waters of the United States. The applicant operates a tuna cannery (Standard Industrial Classification 2091/2092) located on the Island of Tutuila, Pago Pago, American Samoa. The effluent is discharged from one existing point (Discharge Outfall Serial No. 001) at latitude 14°16'26"S longitude 170°41'08"W located 125 ft. from shore and 55 ft. deep in Pago Pago Harbor. The beneficial uses of the waters of Pago Pago Harbor are industrial water supply, propagation of fish and other aquatic life and wildlife, esthetic enjoyment, and primary contact recreation.

Proposed Effluent Limitations and Monitoring Schedule:

Outfall Discharge Serial No. 001

Discharge Description:

Wastewater from tuna processing operations - butchering and cooking; fish cooling; cleaning and packing; retorting; scrap reduction; boilers, condenser, and defrost; and fish thawing

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	kg/day (lbs/day)		kg/kg of seafood (lbs/1000 lbs of seafood)		Measure- ment Frequency	Sample Type
	30-Day Average	Daily Maximum	30-Day Average	Daily Maximum		
Flow m ³ /Day MGD	-	-	-	-	Contin- uous	Contin- uous
Temperature	-	-	-	90°F	Contin- uous	Contin- uous
BOD ₅	-	-	-	-	Once Monthly	Compo- site
Total Suspended Solids	550 (1200)	1300 (2900)	3.3 (3.3)	-	Once Weekly	Compo- site
Oil and Grease	130 (290)	340 (740)	0.84 (0.84)	-	Once Weekly	Discrete

The pH shall not be less than 6.0 standard units or greater than 8.5 standard units and shall be monitored continuously.

The Regional Administrator, Region IX, Environmental Protection Agency, proposes to issue the applicant a permit to discharge to the waters of the United States until **September 1, 1983**, and has included in the proposed permit those terms and conditions which he has determined are necessary to carry out the guidelines and requirements of the Federal Water Pollution Control Act (P.L. 92-500), including applicable effluent limitations and standards.

The application, proposed permit, comments received, and other information are on file and may be inspected and copied at the U.S. Environmental Protection Agency, Region IX, Enforcement Division, 215 Fremont Street, San Francisco, California 94105 (415/556-3450), between 8:00 a.m. and 4:30 p.m. Monday through Friday or at the Environmental Quality Commission, Government of American Samoa, Island of Tutuila, Pago Pago, American Samoa 96920.

Water Quality Standards

Applicable water quality standards were adopted by the Territory of American Samoa in accordance with Chapter 35 of the Code of American Samoa.

State Certification

40 CFR 125.15 provides that prior to the issuance of an NPDES permit by the Environmental Protection Agency, the State in which the discharge originates shall certify the proposed action, except that no such certification is required for Federal government facilities. In so certifying, the State shall determine that any effluent limitation or other condition complies with the applicable provisions of the Federal Water Pollution Control Act and with the applicable requirements of State law. A permit may be issued without State certification if there has been a waiver; this may occur if the State fails to act upon a certification request within a reasonable period of time.

Persons wishing to comment upon or object to certification, or request a hearing, should submit their comments or requests in writing to:

Executive Secretary
Environmental Quality Commission
Government of American Samoa
Island of Tutuila
Pago Pago, American Samoa 96920

with a copy to the Regional Office of the Environmental Protection Agency, San Francisco (address shown below).

Written Comments

Interested persons are invited to submit written comments upon the proposed discharge and the Regional Administrator's proposed determination. Comments should be submitted no later than thirty days after the public notice is issued, either in person or by mail to:

U.S. Environmental Protection Agency
Region IX, Enforcement Division, E-4-1
215 Fremont Street
San Francisco, Ca. 94105

The application number should appear next to the above address on the envelope and on the first page of any submitted comments.

When public interest warrants, the Regional Administrator may grant an extension of the thirty day comment period for the submittal of comments or objections.

Public Hearing

If the Regional Administrator finds that written comments indicate a significant public interest in the application, he shall hold a public hearing on the application, pursuant to 40 CFR 125.34. If held, the public hearing will be designed to collect relevant information pertaining to the application in an orderly and expeditious manner. Public notice of a public hearing will be circulated at least thirty days in advance of such event. The public hearing will be held in the State where the discharge occurs. After the public hearing, the Regional Administrator will formulate his final determination.

Final Determination

All comments or objections received no later than thirty days after the public notice is issued will be considered in the formulation of final determinations regarding the application.

If no public hearing is held and the final determinations of the Regional Administrator, after consideration of all comments and objections, are substantially unchanged from the tentative determinations, the Regional Administrator shall for-

ward a copy of the final determinations to the permittee and to any person who has submitted written comments regarding the permit.

If no public hearing is held and the final determinations of the Regional Administrator are substantially changed from the tentative determinations, the Regional Administrator will give public notice of such determinations. The Regional Administrator shall forward a copy of the notice and a copy of the final determinations to the permittee and to any person who has submitted written comments regarding the permit.

The permit will become effective thirty days following the date it is signed by the Regional Administrator. The permit will be considered issued thirty days following the date it is signed by the Regional Administrator, unless he grants a written request for an adjudicatory hearing. Requests for an adjudicatory hearing must be filed within ten days following the receipt of the final determinations and must meet the requirements of 40 CFR 125.36. All written requests for adjudicatory hearings should be addressed to the Regional Administrator, Environmental Protection Agency, Region IX, Attn: Regional Hearing Clerk, 215 Fremont Street, San Francisco, California 94105.

If the Regional Administrator grants a request for an adjudicatory hearing, he shall give public notice of such hearing. Any person may submit a request to be admitted as a party within thirty days after the publication date of the public notice of an adjudicatory hearing. If no adjudicatory hearing is requested, the permit will be issued or denied, as appropriate, and this action will be final.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

215 Fremont Street
San Francisco, Ca. 94105

FACT SHEET

Discharger:

Van Camp Sea Food Company
Division of Ralston Purina Company
Island of Tutuila
Pago Pago, American Samoa 96920

NPDES Permit No. : AS0000027

Expiration Date: September 1, 1983

Van Camp Sea Food Company has applied to the U.S. Environmental Protection Agency, Region IX, for an NPDES permit to discharge an effluent consisting of wastewater from tuna processing operations into waters of the United States. The applicant operates a tuna cannery (Standard Industrial Classification 2091/2092) located on the Island of Tutuila, Pago Pago, American Samoa. The effluent is discharged from one existing point (Discharge Outfall Serial No. 001) at latitude 14°16'26"S longitude 170°41'08"W located 125 ft. from shore and 55 ft. deep in Pago Pago Harbor. The beneficial uses of the waters of Pago Pago Harbor are industrial water supply, propagation of fish and other aquatic life and wildlife, esthetic enjoyment, and primary contact recreation.

Proposed Effluent Limitations and Monitoring Schedule:

Outfall Discharge Serial No. 001

Discharge Description:

Wastewater from tuna processing operations - butchering and cooking; fish cooling; cleaning and packing; retorting; scrap reduction; boilers, condenser, and defrost; and fish thawing

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	kg/day (lbs/day)		kg/kg of seafood (lbs/1000 lbs of seafood)		Measure- ment Frequency	Sample Type
	30-Day Average	Daily Maximum	30-Day Average	Daily Maximum		
Flow m ³ /Day MGD	-	-	-	-	Contin- uous	Contin- uous
Temperature	-	-	-	90°F	Contin- uous	Contin- uous
BOD ₅	-	-	-	-	Once Monthly	Compo- site
Total Suspended Solids	550 (1200)	1300 (2900)	3.3 (3.3)	-	Once Weekly	Compo- site
Oil and Grease	130 (290)	340 (740)	0.84 (0.84)	-	Once Weekly	Discrete

The pH shall not be less than 6.0 standard units or greater than 8.5 standard units and shall be monitored continuously.

The Regional Administrator, Region IX, Environmental Protection Agency, proposes to issue the applicant a permit to discharge to the waters of the United States until September 1, 1983, and has included in the proposed permit those terms and conditions which he has determined are necessary to carry out the guidelines and requirements of the Federal Water Pollution Control Act (P.L. 92-500), including applicable effluent limitations and standards.

The application, proposed permit, comments received, and other information are on file and may be inspected and copied at the U.S. Environmental Protection Agency, Region IX, Enforcement Division, 215 Fremont Street, San Francisco, California 94105 (415/556-3450), between 8:00 a.m. and 4:30 p.m. Monday through Friday or at the Environmental Quality Commission, Government of American Samoa, Island of Tutuila, Pago Pago, American Samoa 96920.

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Persons wishing to comment upon or object to certification, or request a hearing, should submit their comments or requests in writing to:

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Island of Tutuila
Pago Pago, American Samoa 96920

with a copy to the Regional Office of the Environmental Protection Agency, San Francisco (address shown below).

Written Comments

Interested persons are invited to submit written comments upon the proposed discharge and the Regional Administrator's proposed determination. Comments should be submitted no later than thirty days after the public notice is issued, either in person or by mail to:

U.S. Environmental Protection Agency ,
Region IX, Enforcement Division, E-4-2
215 Fremont Street
San Francisco, Ca. 94105

The application number should appear next to the above address on the envelope and on the first page of any submitted comments.

When public interest warrants, the Regional Administrator may grant an extension of the thirty day comment period for the submittal of comments or objections.

Public Hearing

If the Regional Administrator finds that written comments indicate a significant public interest in the application, he shall hold a public hearing on the application, pursuant to 40 CFR 125.34. If held, the public hearing will be designed to collect relevant information pertaining to the application in an orderly and expeditious manner. Public notice of a public hearing will be circulated at least thirty days in advance of such event. The public hearing will be held in the State where the discharge occurs. After the public hearing, the Regional Administrator will formulate his final determination.

Final Determination

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If the Regional Administrator grants a request for an adjudicatory hearing, he shall give public notice of such hearing. Any person may submit a request to be admitted as a party within thirty days after the publication date of the public notice of an adjudicatory hearing. If no adjudicatory hearing is requested, the permit will be issued or denied, as appropriate, and this action will be final.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

215 Fremont Street
San Francisco, Ca. 94105

FACT SHEET

Discharger: Van Camp Sea Food Company
Division of Ralston Purina Company
Island of Tutuila
Pago Pago, American Samoa 96920

NPDES Permit No. : AS0000027

Expiration Date: September 1, 1983

Van Camp Sea Food Company has applied to the U.S. Environmental Protection Agency, Region IX, for an NPDES permit to discharge an effluent consisting of wastewater from tuna processing operations into waters of the United States. The applicant operates a tuna cannery (Standard Industrial Classification 2091/2092) located on the Island of Tutuila, Pago Pago, American Samoa. The effluent is discharged from one existing point (Discharge Outfall Serial No. 001) at latitude 14°16'26"S longitude 170°41'08"W located 125 ft. from shore and 55 ft. deep in Pago Pago Harbor. The beneficial uses of the waters of Pago Pago Harbor are industrial water supply, propagation of fish and other aquatic life and wildlife, esthetic enjoyment, and primary contact recreation.

Proposed Effluent Limitations and Monitoring Schedule:

Outfall Discharge Serial No. 001

Discharge Description:

Wastewater from tuna processing operations - butchering and cooking; fish cooling; cleaning and packing; retorting; scrap reduction; boilers, condenser, and defrost; and fish thawing

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	kg/day (lbs/day)		kg/kg of seafood (lbs/1000 lbs of seafood)		Measure- ment Frequency	Sample Type
	30-Day Average	Daily Maximum	30-Day Average	Daily Maximum		
Flow m ³ /Day MGD	-	-	-	-	Contin- uous	Contin- uous
Temperature	-	-	-	90°F	Contin- uous	Contin- uous
BOD ₅	-	-	-	-	Once Monthly	Compo- site
Total Suspended Solids	550 (1200)	1300 (2900)	3.3 (3.3)	-	Once Weekly	Compo- site
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The pH shall not be less than 6.0 standard units or greater than 8.5 standard units and shall be monitored continuously.

The Regional Administrator, Region IX, Environmental Protection Agency, proposes to issue the applicant a permit to discharge to the waters of the United States until September 1, 1983, and has included in the proposed permit those terms and conditions which he has determined are necessary to carry out the guidelines and requirements of the Federal Water Pollution Control Act (P.L. 92-500), including applicable effluent limitations and standards.

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Environmental Quality Commission
Government of American Samoa
Island of Tutuila
Pago Pago, American Samoa 96920

with a copy to the Regional Office of the Environmental Protection Agency, San Francisco (address shown below).

Written Comments

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U.S. Environmental Protection Agency
Region IX, Enforcement Division, E-4-1
215 Fremont Street
San Francisco, Ca. 94105

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Public Hearing

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Final Determination

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If no public hearing is held and the final determinations of the Regional Administrator, after consideration of all comments and objections, are substantially unchanged from the tentative determinations, the Regional Administrator shall for-

ward a copy of the final determinations to the permittee and to any person who has submitted written comments regarding the permit.

If no public hearing is held and the final determinations of the Regional Administrator are substantially changed from the tentative determinations, the Regional Administrator will give public notice of such determinations. The Regional Administrator shall forward a copy of the notice and a copy of the final determinations to the permittee and to any person who has submitted written comments regarding the permit.

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DRAFT

Permit No. AS0000027

**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 USC 1251 et. seq; the "Act"), Van Camp Sea Food Company, Division of the Ralston Purina Company, is authorized to discharge from the Van Camp Sea Food tuna cannery located at Pago Pago, Tutuila Island, American Samoa 96920, Outfall Discharge Serial No. 001 (tuna processing wastewater) Latitude 14°16'26"S Longitude 170°41'08"W to receiving waters of Pago Pago Harbor in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III hereof.

This permit shall become effective on _____.

This permit and the authorization to discharge shall expire at midnight, *September 1, 1983.*

Signed this ____ day of _____

For the Regional Administrator

Director, Enforcement Division

Part I.

A. Effluent Limitations and Monitoring Requirements (based on a maximum production rate of 225 tons/day of seafood processed and an approximate flow rate of 0.32 MGD (0.014 cubic meters per second)).

1. During the period beginning with the effective date of this permit and lasting through September 1, 1983, the permittee is authorized to discharge from Outfall Serial No. 001 (tuna processing wastewater).

a. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	kg/day (lbs/day)		kg/kg of seafood (lbs/1000 lbs of seafood)		Measure-ment	Sample Type
	30-Day Average	Daily Maximum	30-Day Average	Daily Maximum	Frequency	
Flow m ³ /Day MGD	-	-	-	-	Contin-uous	Contin-uous
Temperature	-	-	-	90°F	Contin-uous	Contin-uous
BOD ₅ Total	-	-	-	-	ONCE MONTHLY	Composite
Suspended Solids	550 (1200)	1300 (2900)	3.3 (3.3)	-	Once Weekly	Compo-site
*Oil and Grease	130 (290)	340 (740)	0.84 (0.84)	-	Once Weekly	Discrete

*The test procedure for the analysis of oil and grease shall comply with the method described in "Methods for Chemical Analysis of Water and Wastes," 1971, Environmental Protection Agency, Analytical Quality Control Laboratory, page 217 or an alternate procedure approved in accordance with the procedures specified in regulations published in accordance with Section 304(g) of the Act.

- b. The pH shall not be less than 6.0 standard units or greater than 8.5 standard units and shall be monitored continuously.
- c. There shall be no discharge of floating solids or visible foam in other than trace amounts.
- d. Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge of Outfall Serial No. 001. Effluent samples shall be taken downstream from the treatment works prior to mixing with the receiving waters.

- e. There shall be no discharge of toxic substances that violate the water quality standards for the Territory of American Samoa.
- f. The discharge shall not cause objectionable odors at the surface of the receiving waters.

B. Schedule of Compliance

1. The permittee shall comply with effluent limitations established in Part I.A.1. by the effective date of this permit.
2. This permit may be modified, or, alternatively, revoked and reissued, in order to incorporate a schedule of compliance leading to achievement of best conventional pollutant control technology limitations as established by the EPA pursuant to Section 301(b)(2)(E) of the Clean Water Act.

C. Monitoring and Reporting

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Reporting

Monitoring results obtained during the previous 3 months shall be summarized for each month and submitted on forms to be supplied by the Regional Administrator, to the extent that the information reported may be entered on the forms. The results of all monitoring required by this permit shall be submitted in such a format as to allow direct comparison of the limitations and requirements of this permit. Unless otherwise specified, discharge flows shall be reported in terms of the average flow over each 30-day period and the maximum daily flow over that 30-day period. Monitoring reports shall be postmarked no later than the 28th day of the month following the completed reporting period. The first report is due on . Duplicate signed copies of these, and all other reports required herein, shall be submitted to the Regional Administrator and the Government of American Samoa at the following addresses:

Regional Administrator
Environmental Protection Agency
Region IX, ATTN: E-5
215 Fremont Street
San Francisco, CA 94105

Executive Secretary
Environmental Quality
Commission
Government of American
Samoa
Tutuila, Pago Pago
American Samoa 96920

3. Definitions

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- a. The "daily average" discharge means the total discharge by weight during a calendar month divided by the number of days in the month that the production or commercial facility was operating. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of all the measured daily discharges by weight divided by the number of days during the calendar month when the measurements were made.
- b. The "daily maximum" discharge means the total discharge by weight during any calendar day.

- c. Discrete Sample

An individual sample collected in less than 15 minutes

- d. Composite Sample

A combination of no fewer than eight individual samples obtained at equal time intervals over the specified sampling period. The volume of each individual sample shall be proportional to the discharge flow rate at the time of sampling. The sampling period shall be the period between 8:00 AM and 4:00 PM for each day of sampling.

- e. Seafood

The term "seafood" shall mean the raw material, including freshwater and saltwater fish and shellfish, to be processed, in the form in which it is received at the processing plant.

4. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304(g) of the Act, under which such procedures may be required.

5. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The exact place, date, and time of sampling;
- b. The dates the analyses were performed;
- c. The person(s) who performed the analyses;
- d. The analytical techniques or methods used; and
- e. The results of all required analyses.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form (EPA No. 3320-1). Such increased frequency shall also be indicated.

7. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Regional Administrator or the State water pollution control agency.

8. Monitoring Modification

Monitoring, analytical, and reporting requirements may be modified by the Regional Administrator upon due notice.

9. Monitoring and Reporting.

1. If fewer than four (4) samples are collected and analyzed during any calendar month, the thirty day average pollutant discharge rate shall not be determined.
2. If the permittee is unable, for any reason, to comply with any of the effluent limits of this permit, the permittee shall promptly initiate a monitoring program to analyze the discharge at least once every day for those constituents for which the effluent limits have been violated. Such daily analyses shall continue until such time as the Regional Administrator determines to be appropriate. The results of such monitoring programs shall be included in the Discharge Monitoring Reports required in Part I.C.2.
3. The permittee shall supply a tabulation of daily numbers of tons seafood processed in accordance with the reporting schedule outlined in Part I.C.2.

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Part II.

A. MANAGEMENT REQUIREMENTS

1. *Change in Discharge*

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, ~~treatment modifications~~ or process modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new NPDES application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the permit issuing authority of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

2. *Noncompliance Notification*

If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum effluent limitation specified in this permit, the permittee shall provide the Regional Administrator and the State with the following information, in writing, within five (5) days of becoming aware of such condition:

- a. A description of the discharge and cause of noncompliance; and
- b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

3. *Facilities Operation*

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

4. *Adverse Impact*

The permittee shall take all reasonable steps to minimize any adverse impact to receiving waters resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. *Bypassing*

Any diversion from or bypass of facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited, except (i) where unavoidable to prevent loss of life or severe property damage, or (ii) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit. The permittee shall promptly notify the Regional Administrator and the State in writing of each such diversion or bypass. in accordance with the procedure specified in Part II.A.2. above.

6. *Removed Substances*

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

7. *Safeguards Against Electrical Power Failures*

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

- a. Maintain in good working order an alternative power source sufficient to operate the wastewater control facilities;

or, if such alternative power source is not in existence,

- b. Halt, reduce, or otherwise control all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater facilities.

B. *RESPONSIBILITIES*

1. *Right of Entry*

The permittee shall allow the head of the State water pollution control agency, the Regional Administrator, and/or their authorized representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- b. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to sample any discharge of pollutants.

2. *Transfer of Ownership or Control*

In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Regional Administrator and the State water pollution control agency.

3. *Availability of Reports*

Except for data determined to be confidential under Section 308 of the Act, all reports prepared in accordance with the terms of this permit shall be available for public

inspection at the offices of the State water pollution control agency and the Regional Administrator. As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Act.

4. Permit Modification

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

5. Toxic Pollutants

Notwithstanding Part II, B-4 above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified.

6. Civil and Criminal Liability

Except as provided in permit conditions on "Bypassing" (Part II, A-5) and "Power Failures" (Part II, A-7), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

8. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

9. *Property Rights*

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

10. *Severability*

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

Part III.

OTHER REQUIREMENTS

A. Reapplication

If the permittee desires to continue to discharge, he shall reapply not later than 180 days before ~~this~~ permit expires, on the application form ~~then in use~~.

B. Water Quality Standard Revision

Should the Water Quality Standards for American Samoa be revised in the future, this new information will constitute grounds for review and possible modification of this permit.

DRAFT

Permit No. AS0000027

**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 USC 1251 et. seq; the "Act"), Van Camp Sea Food Company, Division of the Ralston Purina Company, is authorized to discharge from the Van Camp Sea Food tuna cannery located at Pago Pago, Tutuila Island, American Samoa 96920, Outfall Discharge Serial No. 001 (tuna processing wastewater) Latitude 14°16'26"S Longitude 170°41'08"W to receiving waters of Pago Pago Harbor in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III hereof.

This permit shall become effective on _____.

This permit and the authorization to discharge shall expire at midnight, September 1, 1983,

Signed this ____ day of _____.

For the Regional Administrator

Director, Enforcement Division

Part I.

A. Effluent Limitations and Monitoring Requirements (based on a maximum production rate of 225 tons/day of seafood processed and an approximate flow rate of 0.32 MGD (0.014 cubic meters per second)).

1. During the period beginning with the effective date of this permit and lasting through September 1, 1983, the permittee is authorized to discharge from Outfall Serial No. 001 (tuna processing wastewater).

a. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	kg/day (lbs/day)		kg/kg of seafood (lbs/1000 lbs of seafood)		Measure-ment Frequency	Sample Type
	30-Day Average	Daily Maximum	30-Day Average	Daily Maximum		
Flow m ³ /Day MGD	-	-	-	-	Contin-uous	Contin-uous
Temperature	-	-	-	90°F	Contin-uous	Contin-uous
BOD ₅	-	-	-	-	ONCE MONTHLY	Composite
Total Suspended Solids	550 (1200)	1300 (2900)	3.3 (3.3)	-	Once Weekly	Compo-site
*Oil and Grease	130 (290)	340 (740)	0.84 (0.84)	-	Once Weekly	Discret

*The test procedure for the analysis of oil and grease shall comply with the method described in "Methods for Chemical Analysis of Water and Wastes," 1971, Environmental Protection Agency, Analytical Quality Control Laboratory, page 217 or an alternate procedure approved in accordance with the procedures specified in regulations published in accordance with Section 304(g) of the Act.

b. The pH shall not be less than 6.0 standard units or greater than 8.5 standard units and shall be monitored continuously.

c. There shall be no discharge of floating solids or visible foam in other than trace amounts.

d. Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge of Outfall Serial No. 001. Effluent samples shall be taken downstream from the treatment works prior to mixing with the receiving water.

e. There shall be no discharge of toxic substances that violate the water quality standards for the Territory of American Samoa.

f. The discharge shall not cause objectionable odors at the surface of the receiving waters.

B. Schedule of Compliance

1. The permittee shall comply with effluent limitations established in Part I.A.1. by the effective date of this permit.
2. This permit may be modified, or, alternatively, revoked and reissued, in order to incorporate a schedule of compliance leading to achievement of best conventional pollutant control technology limitations as established by the EPA pursuant to Section 301(b)(2)(E) of the Clean Water Act.

C. Monitoring and Reporting

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Reporting

Monitoring results obtained during the previous 3 months shall be summarized for each month and submitted on forms to be supplied by the Regional Administrator, to the extent that the information reported may be entered on the forms. The results of all monitoring required by this permit shall be submitted in such a format as to allow direct comparison of the limitations and requirements of this permit. Unless otherwise specified, discharge flows shall be reported in terms of the average flow over each 30-day period and the maximum daily flow over that 30-day period. Monitoring reports shall be postmarked no later than the 28th day of the month following the completed reporting period. The first report is due on . Duplicate signed copies of these, and all other reports required herein, shall be submitted to the Regional Administrator and the Government of American Samoa at the following addresses:

Regional Administrator
Environmental Protection Agency
Region IX, ATTN: E-3
215 Fremont Street
San Francisco, CA 94105

Executive Secretary
Environmental Quality
Commission
Government of American
Samoa
Tutuila, Pago Pago
American Samoa 96920

3. Definitions

- a. The "daily average" discharge means the total discharge by weight during a calendar month divided by the number of days in the month that the production or commercial facility was operating. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of all the measured daily discharges by weight divided by the number of days during the calendar month when the measurements were made.
- b. The "daily maximum" discharge means the total discharge by weight during any calendar day.

c. Discrete Sample

An individual sample collected in less than 15 minutes

d. Composite Sample

A combination of no fewer than eight individual samples obtained at equal time intervals over the specified sampling period. The volume of each individual sample shall be proportional to the discharge flow rate at the time of sampling. The sampling period shall be the period between 8:00 AM and 4:00 PM for each day of sampling.

e. Seafood

The term "seafood" shall mean the raw material, including freshwater and saltwater fish and shellfish, to be processed, in the form in which it is received at the processing plant.

4. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304(g) of the Act, under which such procedures may be required.

5. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The exact place, date, and time of sampling;
- b. The dates the analyses were performed;
- c. The person(s) who performed the analyses;
- d. The analytical techniques or methods used; and
- e. The results of all required analyses.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form (EPA No. 3320-1). Such increased frequency shall also be indicated.

7. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Regional Administrator or the State water pollution control agency.

8. Monitoring Modification

Monitoring, analytical, and reporting requirements may be modified by the Regional Administrator upon due notice.

9. Monitoring and Reporting.

1. If fewer than four (4) samples are collected and analyzed during any calendar month, the thirty day average pollutant discharge rate shall not be determined.
2. If the permittee is unable, for any reason, to comply with any of the effluent limits of this permit, the permittee shall promptly initiate a monitoring program to analyze the discharge at least once every day for those constituents for which the effluent limits have been violated. Such daily analyses shall continue until such time as the Regional Administrator determines to be appropriate. The results of such monitoring programs shall be included in the Discharge Monitoring Reports required in Part I.C.2.
3. The permittee shall supply a tabulation of daily numbers of tons seafood processed in accordance with the reporting schedule outlined in Part I.C.2.

Part II.

A. MANAGEMENT REQUIREMENTS

1. *Change in Discharge*

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, ^{treatment modifications} or process modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new NPDES application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the permit issuing authority of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

2. *Noncompliance Notification*

If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum effluent limitation specified in this permit, the permittee shall provide the Regional Administrator and the State with the following information, in writing, within five (5) days of becoming aware of such condition:

- a. A description of the discharge and cause of noncompliance; and
- b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

3. *Facilities Operation*

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

4. *Adverse Impact*

The permittee shall take all reasonable steps to minimize any adverse impact to receiving waters resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. *Bypassing*

Any diversion from or bypass of facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited, except (i) where unavoidable to prevent loss of life or severe property damage, or (ii) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit. The permittee shall promptly notify the Regional Administrator and the State in writing of each such diversion or bypass. in accordance with the procedure specified in Part II.A.2. above.

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6. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

7. Safeguards Against Electrical Power Failures

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

- a. Maintain in good working order an alternative power source sufficient to operate the wastewater control facilities;

or, if such alternative power source is not in existence,

- b. Halt, reduce, or otherwise control all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater facilities.

B. RESPONSIBILITIES

1. Right of Entry

The permittee shall allow the head of the State water pollution control agency, the Regional Administrator, and/or their authorized representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- b. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to sample any discharge of pollutants.

2. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Regional Administrator and the State water pollution control agency.

3. Availability of Reports

Except for data determined to be confidential under Section 308 of the Act, all reports prepared in accordance with the terms of this permit shall be available for public

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inspection at the offices of the State water pollution control agency and the Regional Administrator. As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Act.

4. Permit Modification

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

5. Toxic Pollutants

Notwithstanding Part II, B-4 above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified.

6. Civil and Criminal Liability

Except as provided in permit conditions on "Bypassing" (Part II, A-5) and "Power Failures" (Part II, A-7), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

8. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

9. *Property Rights*

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

10. *Severability*

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

Part III.

OTHER REQUIREMENTS

A. Reapplication

If the permittee desires to continue to discharge, he shall reapply not later than 180 days before this permit expires, on the application forms then in use.

B. Water Quality Standard Revision

Should the Water Quality Standards for American Samoa be revised in the future, this new information will constitute grounds for review and possible modification of this permit.

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 9

IN THE MATTER OF:)	
)	Docket No. IX-FY90-21
VCS SAMOA PACKING COMPANY)	
Pago Pago, American Samoa)	
)	
Proceedings Under Sections)	FINDINGS OF VIOLATION
308(a) and 309(a) of the)	AND
Clean Water Act, as amended,)	ORDER FOR COMPLIANCE
33 U.S.C. §§ 1318(a) and)	
1319(a).)	

STATUTORY AUTHORITY

The following Findings are made and Order issued pursuant to the authority vested in the Administrator of the Environmental Protection Agency ("EPA") by Sections 308(a) and 309(a) of the Clean Water Act ("CWA"), 33 U.S.C. §§ 1318(a) and 1319(a). The Administrator has delegated these authorities to the Regional Administrator of EPA Region 9, who has in turn delegated them to the Director of the Water Management Division of EPA Region 9, who hereby makes these Findings of Violation and issues this Order for Compliance.

FINDINGS OF VIOLATION

1. VSC Samoa Packing Company ("Respondent"), a person within the meaning of Section 502(5) of the Act, 33 U.S.C. §1362(5), owns and operates a tuna cannery located at Pago Pago, American Samoa, which is a point source that discharges pollutants into Pago Pago Harbor, a water of the United States, all

within the respective definitions established in Section 502(5) of the Act, 33 U.S.C. §1362(5), Respondent is therefore subject to the provisions of the Act, 33 U.S.C. §1251 et seq.

2. Section 301(a) of the Act, 33 U.S.C. §1311(a), provides that except as in compliance with certain specified sections of the Act, including Section 402, "the discharge of any pollutant by any person shall be unlawful." Section 402 of the Act, 33 U.S.C. §1342, authorizes EPA to issue a National Pollutant Discharge Elimination System ("NPDES") permit allowing for the discharge of pollutants into waters of the United States. Compliance with Section 301(a) of the Act therefore requires, inter alia, compliance with a valid NPDES permit.

3. EPA, under the authority of Section 402(b) of the Act, issued NPDES Permit No. AS0000027 (the "Permit") to Samoa Packing Company, predecessor in interest to VCS Samoa Packing Company, on February 3, 1987, to become effective on March 8, 1987 and to expire on March 7, 1992. On February 27, 1987, Respondent sought an evidentiary hearing on certain of the provisions of the permit, including the requirement that Respondent come into compliance with the interim effluent limitations for nitrogen and phosphorus set forth in the permit. The Regional Administrator denied Respondent's request for an evidentiary hearing on this issue and Respondent appealed to the Administrator. On September 26, 1989, the Administrator denied Respondent's appeal and ruled that the interim effluent limits set forth in the permit for nitrogen and phosphorus were to become effective immediately. On

October 25, 1989 Respondent served its Petition for Reconsideration of the Administrator's Order, and on November 3, 1989 the Chief Judicial Officer denied Respondent's Petition. On February 7, 1990 Respondent filed a petition for review, by the Ninth Circuit Court of Appeals, of the Administrator's September 26, 1989 Order.

4. Condition I.A.2.a. of the Permit allows Respondent to discharge a daily maximum 1,800 lbs./day and a monthly average of 820 lbs./day of nitrogen. Monitoring of such discharge is required twice weekly.

5. Respondent has violated Section 301(a) of the Act, 33 U.S.C. § 1311(a), by violating Condition I.A.2.a. of the Permit in that Respondent discharged the amounts of nitrogen set forth in Appendix A annexed hereto and made a part hereof on each date set forth in Appendix A.

6. Condition I.A.2.a. of the Permit allows Respondent to discharge a daily maximum 100 lbs./day and a monthly average of 33 lbs./day of phosphorus. Monitoring of such discharge is required twice weekly.

7. Respondent has violated Section 301(a) of the Act, 33 U.S.C. § 1311(a), by violating Condition I.A.2.a. of the Permit in that Respondent discharged the amounts of phosphorus set forth in Appendix B annexed hereto and made a part hereof on each date set forth in Appendix B.

8. On the basis of the facts specified in paragraphs 1 through 7 above, the Director of the Water Management Division of EPA Region 9 hereby finds Respondent in violation of Sections 301(a) and 402 of the Act, 33 U.S.C. §§ 1311(a) and 1318.

ORDER FOR COMPLIANCE

Based on the foregoing Findings, and considering the potential environmental and human health effects of the violation, EPA has determined that compliance in accordance with the following requirements is reasonable. Pursuant to the authority of Sections 308 and 309 of the Act, 33 U.S.C. §§ 1318 AND 1319, IT IS HEREBY ORDERED that Respondent comply with the following requirements:

1. Not later than July 31, 1990, Respondent shall install all necessary equipment for and implement a system capable of segregating and removing all Dissolved Air Flotation sludge, press water and pre-cooker juice (i.e., those wastes that are high in nitrogen and phosphorus) from present cannery effluent (hereinafter referred to as "High Strength Waste Segregation").

2. Not later than July 31, 1990, Respondent shall segregate and remove all such high strength wastes from its effluent, shall barge all such high strength wastes to the designated ocean dump site, as identified in 55 Federal Register 3948 (Feb. 6, 1990) and shall dump such high strength wastes at that ocean dump site. Thereafter, Respondent shall no longer dispose of said effluent through its NPDES permitted point source, i.e., Outfall Serial No. 001.

3. Respondent shall, no later than August 1, 1990, achieve and thereafter maintain compliance with the following interim effluent limits for nitrogen and phosphorus and shall remain in compliance with these interim effluent limits at all times until March 6, 1992:

(a) Monthly Average of Total Nitrogen (lbs./day): The lesser of i) 1,035 lbs./day, OR ii) (Monthly Average Total Nitrogen Influent [lbs./day]) x (0.65).

(b) Daily Maximum of Total Nitrogen (lbs./day): The lesser of: i) 1,595 lbs./day, OR, ii) (Daily Maximum Total Nitrogen Influent [lbs./day]) x (0.65).

(c) Monthly Average of Total Phosphorus (lbs./day): The lesser of: i) 220 lbs./day, OR, ii) (Monthly Average Total Phosphorus Influent [lbs./day]) x (0.65).

(d) Daily Maximum of Total Phosphorus (lbs./day): The lesser of: i) 260 lbs./day, OR, ii) (Daily Maximum Total Phosphorus Influent [lbs./day]) x (0.65).

4. Monitoring Requirements and Adjustment of Interim Effluent Limits for Nitrogen and Phosphorus

(a) Commencing on August 1, 1990 and continuing through the earlier of October 31, 1990 or that date which is three consecutive months after the commencement of High Strength Waste Segregation, Respondent shall collect, twice weekly, composite samples (as such term is defined in Respondent's NPDES permit) of each of the following waste streams: (i) precooker juice, (ii) presswater, (iii) DAF

influent and (iv) DAF effluent. Monitoring must be conducted using only those test procedures allowed under Respondent's NPDES permit.

(b) Each of the waste stream composite samples identified in subparagraph (a) shall be analyzed twice weekly for the following parameters. Analysis for each parameter shall be performed in the manner specified in Respondent's NPDES permit, with the exception of oil and grease, which shall be sampled and analyzed in the manner specified below.

- i) Total nitrogen (daily maximum and monthly average in mg./l);
- ii) Total phosphorus (daily maximum and monthly average in mg./l);
- iii) Total Suspended Solids (daily maximum and monthly average in mg./l); and
- iv) Daily Flows (daily maximum and monthly average in MGD).

(c) Commencing on August 1, 1990 and continuing through the earlier of October 31, 1990, or that date which is three consecutive months after the commencement of High Strength Waste Segregation, Respondent shall monitor each of the waste streams identified in subparagraph (a) for oil and grease as follows: each oil and grease sample shall consist of four individual grab samples ("sub-samples") which shall be taken at even intervals during each production period in which samples are taken. Each sub-sample shall be

separately analyzed. The results of each sub-sample, and the mean value of the four sub-samples, shall be reported for daily maximum and monthly average (in mg./l).

(d) Respondent shall submit a monthly report providing the results of the sampling and analyses identified above to the American Samoa Environmental Quality Commission (ASEQC) and the United States Environmental Protection Agency (EPA) no later than seven (7) days after the last day of each month in which data has been collected. The report shall be signed by a responsible corporate officer, who shall certify the accuracy of its contents in the manner set forth herein.

(e) The formulas for the calculation of interim effluent limits for nitrogen and phosphorus set forth in paragraph 1 above utilize a Dissolved Air Flotation (DAF) removal efficiency rate of 35%. This removal efficiency rate (and therefore the interim effluent limitation) may be adjusted, at EPA's sole discretion, after analysis of the data collected pursuant to subparagraphs (a) and (b) above.

(f) Except as expressly provided for in subparagraphs (a) through (c) above, all monitoring, sampling and reporting required by this Order shall be performed pursuant to and in accordance with Respondent's NPDES permit.

5. Respondent shall commence, as soon as possible, an engineering feasibility study or studies to assess the viable and potentially feasible alternatives for achievement of its NPDES permit final effluent limits based on the American Samoa Water

Quality Standards ("water quality-based effluent limits"). Such study or studies shall be completed no later than March 31, 1991. Respondent shall provide EPA and ASEQC with interim written status reports regarding the progress and findings of such studies as such information becomes available, but no less often than once every three months.

6. Not later than May 31, 1991, Respondent shall notify EPA and ASEQC, in writing, of its selected method or combination of methods for achieving compliance with its water quality-based effluent limits (the "selected alternative").

7. Not later than March 5, 1992, Respondent shall complete all actions necessary to meet its water quality-based effluent limits under the selected alternative.

8. Not later than March 7, 1992, Respondent shall achieve compliance with its water quality-based effluent limits.

9. If Respondent fails to meet any compliance deadline or interim effluent limitation set forth herein, Respondent shall file a written noncompliance report with EPA and ASEQC within ten days of the missed deadline or exceeded limit. The report shall specifically describe the impact of the event, provide a summary of the reasons for or explanation regarding the event, the anticipated time of non-compliance, and the measures to be taken to prevent or minimize the impact of the event.

10. All applications, certifications and reports submitted pursuant to this Order shall be signed by a principal executive officer of Respondent and shall include the following statement:

I certify under penalty of law that this document and all attachments are prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

11. Nothing contained in this Order shall affect Respondent's continuing obligation to comply with the Clean Water Act and with each and every term and condition of its Permit. This Order is not and shall not be interpreted to be an NPDES Permit under Section 402 of the Act, 33 U.S.C § 1342, nor shall compliance with this Order be deemed to be compliance with the Permit.

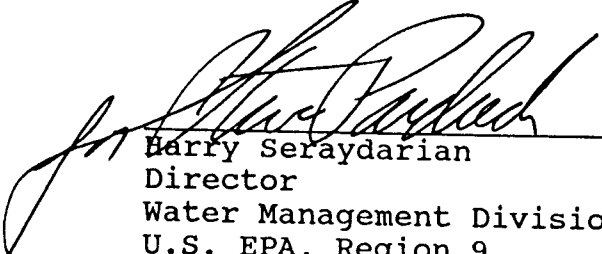
12. All submissions required by this Order shall be mailed to the following addressees:

U.S. Environmental Protection Agency, Region 9
Office of Pacific Island and Native American Programs
1235 Mission Street
San Francisco, CA 94103
Attention: Norman L. Lovelace (E-4)

American Samoa Environmental Quality Commission
Office of the Governor
American Samoa Government
Pago Pago, American Samoa 96799
Attention: Pati Faiai

Date: _____

JUN 18 1990


Harry Seraydarian
Director
Water Management Division
U.S. EPA, Region 9
1235 Mission Street
San Francisco, CA 94103

APPENDIX A

SUMMARY OF DISCHARGE MONITORING REPORTS

Name of Discharger: VCS Samoa Packing Company
 NPDES Permit No.: AS0000027
 Reporting Period: September, 1989 through March, 1990

Permit Condition	Effluent Constituents	Effluent Limitation	Month and Yr.	Value(s) Reported in Violation
A.2.a	Total Nitrogen	820 lbs/day Monthly Average	Oct. 89	2036
			Nov. 89	2375
			Dec. 89	1348
			Jan. 90	903
		1800 lbs/day Daily Maximum	Sep. 89	3088
			Oct. 89	2074, 1929
				1871, 2332
				3078, 2391
			Nov. 89	2110
				2309, 2615
				2361, 3452
			Dec. 89	2681, 3718
				2004, 2123
				2105

APPENDIX B

SUMMARY OF DISCHARGE MONITORING REPORTS

Name of Discharger: VCS Samoa Packing Company
 NPDES Permit No.: AS0000027
 Reporting Period: September, 1989 through March, 1990

Permit Condition	Effluent Constituents	Effluent Limitation	Month and Yr.	Value(s) Reported in Violation
A.2.a	Total Phosphorus	33 lbs/day Monthly Average	Oct. 89	211
			Nov. 89	270
			Dec. 89	257
			Jan. 90	193
			Feb. 90	185
			Mar. 90	168*
		100 lbs/day Daily Maximum	Sep. 89	241, 239
			Oct. 89	218, 324
				308, 243
				104, 184
				169, 144
				209
			Nov. 89	269, 334
				253, 359
				308, 230
				352, 175
				151
			Dec. 89	325, 309
				279, 247
				261, 264
				232, 254
				141
			Jan. 90	206, 132
				195, 195
				276, 228
				198, 114
				193

APPENDIX B Cont'd.

SUMMARY OF DISCHARGE MONITORING REPORTS

<u>Permit Condition</u>	<u>Effluent Constituents</u>	<u>Effluent Limitation</u>	<u>Month and Yr.</u>	<u>Value(s) Reported in Violation</u>
A.2.a	Total Phosphorus	100 lbs/day Daily Maximum	Feb. 90	211, 134 117, 225 225, 287 282, 279
			Mar. 90	164*, 159* 278*, 167* 161*, 187* 132*

* The effluent limitations for total nitrogen and total phosphorus indicated in the March, 1990 DMR are incorrect. Interim effluent limitations shall remain the same as in the existing NPDES permit until such time as a new permit is issued or an administrative order is issued which establishes new interim effluent limitations.

Susan - Please File



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, Ca. 94105

June 20, 1991

Michael P. Macready
General Manager
VCS Samoa Packing Company
P.O. Box 957
Pago Pago, American Samoa 96799

Dear Mr. Macready:

In recent conversations with you and your staff, we discussed the upcoming National Pollution Discharge Elimination System (NPDES) permit application which your company is required to submit 180 days prior to the expiration of your present NPDES permit (AS0000019). Based on these conversations and your letter of May 15, 1991, it is our understanding that Star-Kist Samoa and VCS Samoa Packing will be constructing a new joint marine outfall approximately 7,000 feet from the canneries toward the mouth of Pago Pago Harbor in order to meet American Samoa water quality standards by March 3, 1992. Thus new NPDES permits for both canneries' discharge from the new outfall will be required. In our discussions with you, we committed to following up with further guidance on applying for a joint outfall NPDES permit application, monitoring requirements, effluent limits and determination of violations and liability, etc.

Issuance of an NPDES permit by the U.S. Environmental Protection Agency (USEPA) for the joint outfall must be preceded by the granting of a zone of mixing by the American Samoa environmental Quality Commission (ASEQC), which must also be approved by USEPA. Thus we urge you to submit your zone of mixing application to the ASEQC and us as soon as possible. After obtaining a zone of mixing, each cannery should submit a separate NPDES permit application for its discharge into the joint pipeline at least 180 days prior to March 3, 1992. (We suggest submitting the application to us at the earliest date possible.) Based on the USEPA's analysis of the data in each permit application, past Discharge Monitoring Reports (DMR's) and other appropriate data, USEPA will issue a separate NPDES permit to each

cannery which will establish separate effluent discharge limits for each cannery at a point prior to the effluent's entry into the joint pipeline.

Each cannery will be responsible for monitoring and complying with its effluent limits at the point of entry into the pipeline. The permits will establish joint and severable responsibility of the canneries for achieving water quality standards in Pago Pago Harbor. They will also require implementation of an ambient monitoring program to measure the impact of the discharge on Pago Pago Harbor and insure that water quality standards are being met. The permits will not specify who will carry out the ambient monitoring program and will leave that up to the canneries. Again, both canneries will be jointly and severably responsible for carrying out the ambient monitoring program.

Water quality violations will be assessed utilizing data from the water quality monitoring program and the canneries' individual DMR's. Legally, both canneries will be liable and subject to enforcement action for any water quality standards violations which occur from the outfall discharge. As a matter of allocating responsibility for water quality standard violations between the canneries, USEPA, and thus the canneries, will generally consider the nature of each cannery's discharge. In the case where only one cannery's effluent exceeds its effluent discharge limits and the monitoring data shows violation of the relevant water quality standards, the determination of responsibility can be clearly made. If both canneries have violations of their effluent limits and water quality violations also occur, then both canneries are properly responsible. If neither cannery has effluent limit violations but water quality violations still occur, both canneries are still responsible.

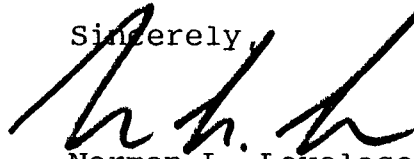
We hope the above information is helpful. As we had discussed, we reviewed other NPDES permits issued for joint outfalls to see if they would be useful in giving you some idea of the joint responsibilities which can be imposed. Copies of these permits are included. In these particular cases, a joint agency was established with an NPDES permit for the joint outfall in addition to separate permits for each discharger). However, we do not have copies of the legal agreements among the agencies outlining their obligations and responsibilities to the overall joint agency established. We suggest you contact these agencies directly for such information.

Also enclosed are copies of the NPDES application forms (Form 1C and 2C) for your use.

We urge you and your staff to stay in close contact with our office and the ASEPA regarding local and federal requirements. Your applications should be submitted as early as possible to

give our agencies time to review them and request more information if necessary. Should you or your staff have any further questions, please contact Pat Young, (415) 744-1591 or Mike Lee, (415) 744-1592.

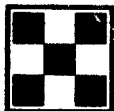
Sincerely,

A handwritten signature in black ink, appearing to be 'N. L. Lovelace', written in a cursive style.

Norman L. Lovelace
Chief, Office of Pacific Island
and Native American Programs

Enclosures

cc: Pati Faiiai, ASEPA (w/o enclosures)
Sheila Wiegman, ASEPA
Jim Cox, Van Camp Seafood
Steve Costa, CH2MHill (w/o enclosures)



Ralston Purina
Company

September 27, 1984

Mr. Mike Flachsbart
Coordinator
NPDES Program - W-5-1
United States Environmental Protection
Agency - Region IX
215 Fremont Street
San Francisco, CA 94105

Re: NPDES Permit No. AS0000027
Request for Renewal and Modification

Dear Mr. Flachsbart:

Enclosed please find an application for permit renewal and modification for the tuna cannery operated in American Samoa by Samoa Packing Company, a wholly owned subsidiary of Ralston Purina Company.

The revised tonnage level for the new permit is 320 tons/day as outlined in our earlier letter dated March 20, 1984. The analytical data, and estimates of variation, are based on September, 1983 through May, 1984 DMR's submitted previously to the EPA, unless otherwise noted. To the extent that sample data from DMR's is unavailable (e.g. COD, TOC, ammonia, stormwater, etc.) we request a sampling waiver as these data are already available to the EPA from other sources.

In summary, we request the total mass loadings in the permit be revised upward to reflect the increase in tonnage from 225 to 320. In our best judgment, DAF operation in Samoa will be substantially "linear" over this production range, so the current effluent limits per 1000 pounds of fish can still be achieved. We believe these limits should be considered "BCT" as well. Please note we operate no fish solubles plant in Samoa.

Should you have any questions, or desire to meet on any of the topics addressed in this letter, please contact Mr. Frank Hackmann, Environmental and Energy Counsel (314/982-2619), or myself. Also, to facilitate communication, would you please mail to me a copy of any material you send to Mr. Lemke in Samoa. Thank you.

Sincerely,

James J. Wass
Director, Division Engineering
and Environmental Affairs
(314) 982-1663

cc: Mr. Norman Lovelace, U.S. EPA (w/att.)
Mr. Patti Faiiai - EQC (w/att.)
Mr. Robert Lemke - Samoa Packing Company

/swb

Checkerboard Square
St. Louis, Missouri 63164

0457

FORM 1 GENERAL		U.S. ENVIRONMENTAL PROTECTION AGENCY GENERAL INFORMATION Consolidated Permits Program (Read the "General Instructions" before starting.)		I. EPA I.D. NUMBER F A S 0 0 0 0 0 2 7	
II. POLLUTANT CHARACTERISTICS		PLEASE PLACE LABEL IN THIS SPACE AMERICAN SAMOA 96799 SAME		GENERAL INSTRUCTIONS If a preprinted label has been provided, affix it in the designated space. Review the information carefully; if any of it is incorrect, cross through it and enter the correct data in the appropriate fill-in area below. Also, if any of the preprinted data is absent (the area to the left of the label space lists the information that should appear), please provide it in the proper fill-in area(s) below. If the label is complete and correct, you need not complete items I, III, V, and VI (except VI-B which must be completed regardless). Complete all items if no label has been provided. Refer to the instructions for detailed item descriptions and for the legal authorizations under which this data is collected.	
I. EPA I.D. NUMBER					
III. FACILITY NAME					
V. FACILITY MAILING ADDRESS					
VI. FACILITY LOCATION					

SPECIFIC QUESTIONS	MARK 'X'			SPECIFIC QUESTIONS	MARK 'X'		
	YES	NO	FORM ATTACHED		YES	NO	FORM ATTACHED
A. Is this facility a publicly owned treatment works which results in a discharge to waters of the U.S.? (FORM 2A)		X		B. Does or will this facility (either existing or proposed) include a concentrated animal feeding operation or aquatic animal production facility which results in a discharge to waters of the U.S.? (FORM 2B)		X	
C. Is this a facility which currently results in discharges to waters of the U.S. other than those described in A or B above? (FORM 2C)	X			D. Is this a proposed facility (other than those described in A or B above) which will result in a discharge to waters of the U.S.? (FORM 2D)		X	
E. Does or will this facility treat, store, or dispose of hazardous wastes? (FORM 3)		X		F. Do you or will you inject at this facility industrial or municipal effluent below the lowermost stratum containing, within one quarter mile of the well bore, underground sources of drinking water? (FORM 4)		X	
G. Do you or will you inject at this facility any produced water or other fluids which are brought to the surface in connection with conventional oil or natural gas production, inject fluids used for enhanced recovery of oil or natural gas, or inject fluids for storage of liquid hydrocarbons? (FORM 4)		X		H. Do you or will you inject at this facility fluids for special processes such as mining of sulfur by the Frasch process, solution mining of minerals, in situ combustion of fossil fuel, or recovery of geothermal energy? (FORM 4)		X	
I. Is this facility a proposed stationary source which is one of the 28 industrial categories listed in the instructions and which will potentially emit 100 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)		X		J. Is this facility a proposed stationary source which is NOT one of the 28 industrial categories listed in the instructions and which will potentially emit 250 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5) (See related correspondence)		X	

III. NAME OF FACILITY	
1	SKIP SAMOA PACKING COMPANY

IV. FACILITY CONTACT	
A. NAME & TITLE (last, first, & title)	
2	LEMKE ROBERT VP & GEN MGR
B. PHONE (area code & no.)	
684	633 5272

V. FACILITY MAILING ADDRESS	
A. STREET OR P.O. BOX	
3	
B. CITY OR TOWN	
4	PAGO PAGO TUTUILA
C. STATE	
AS	
D. ZIP CODE	
96799	

VI. FACILITY LOCATION	
A. STREET, ROUTE NO. OR OTHER SPECIFIC IDENTIFIER	
5	
B. COUNTY NAME	
Not Applicable	
C. CITY OR TOWN	
6	PAGO PAGO TUTUILA
D. STATE	
AS	
E. ZIP CODE	
96799	
F. COUNTY CODE (if known)	

VIII. OPERATOR INFORMATION

X. EXISTING ENVIRONMENTAL PERMITS

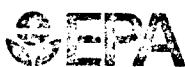
XI. MAP

XII. NATURE OF BUSINESS *(provide a brief description)*

XIII. CERTIFICATION (see instructions)

COMMENTS FOR OFFICIAL USE ONLY

EPA Form 3510-1 (Rev. 10-80) Reverse



U.S. ENVIRONMENTAL PROTECTION AGENCY
APPLICATION FOR PERMIT TO DISCHARGE WASTEWATER
EXISTING MANUFACTURING, COMMERCIAL, MINING AND SILVICULTURAL OPERATIONS
Consolidated Permits Program

For each outfall, list the latitude and longitude of its location to the nearest 15 seconds and the name of the receiving water.

A. OUTFALL NUMBER (list)	B. LATITUDE			C. LONGITUDE			D. RECEIVING WATER (name)
	1. DEG.	2. MIN.	3. SEC.	1. DEG.	2. MIN.	3. SEC.	
001	14	16	26S	170	41	08W	Pago Pago Harbor

A. Attach a line drawing showing the water flow through the facility. Indicate sources of intake water, operations contributing wastewater to the effluent, and treatment units labeled to correspond to the more detailed descriptions in Item B. Construct a water balance on the line drawing by showing average flows between intakes, operations, treatment units, and outfalls. If a water balance cannot be determined (e.g., for certain mining activities), provide a pictorial description of the nature and amount of any sources of water and any collection or treatment measures.

B. For each outfall, provide a description of: (1) All operations contributing wastewater to the effluent, including process wastewater, sanitary wastewater, cooling water, and storm water runoff; (2) The average flow contributed by each operation; and (3) The treatment received by the wastewater. Continue on additional sheets if necessary.

[illegible]

OFFICIAL USE ONLY (effluent guidelines sub-categories)

CONTINUED FROM THE FRONT

C. Except for storm runoff, leaks, or spills, are any of the discharges described in Items II-A or B intermittent or seasonal?
☐ YES (complete the following table) ☐ NO (go to Section III)

intermittent or seasonal? <input type="checkbox"/> NO (Go to Section III)									
1. OUTFALL NUMBER (list)	2. OPERATION(S) CONTRIBUTING FLOW (list)	3. FREQUENCY		4. FLOW					
		a. DAYS PER WEEK (specify average)	b. MONTHS PER YEAR (specify average)	a. FLOW RATE (in mgd)		b. TOTAL VOLUME (specify with units)		c. DUR- ATION (in days)	
				1. LONG TERM AVERAGE	2. MAXIMUM DAILY	1. LONG TERM AVERAGE	2. MAXIMUM DAILY		

II. MAXIMUM PRODUCTION		320 tons/day
------------------------	--	--------------

A. Does an effluent...	
------------------------	--

III. MAXIMUM PRODUCTION 320 tons/day

A. Does an effluent guideline limitation promulgated by EPA under Section 304 of the Clean Water Act apply to your facility?
☒ YES (complete Item III-B) ☐ NO (to Section IV)

B. Are the limitations in the applicable effluent guideline expressed in terms of production (or other measure of operation)?
☒ YES (complete Item III-C) ☐ NO (go to Section IV)

C. If you answered "Yes" to Item III-B, list the quantity which represents an actual measurement of your maximum level of production, expressed in the terms and units used in the applicable effluent guideline, and indicate the affected outfalls.

1. MAXIMUM QUANTITY

2. QUANTITY PER DAY	b. UNITS OF MEASURE	c. OPERATION, PRODUCT, MATERIAL, ETC. (specify)	2. AFFECTED OUTFALLS (list outfall numbers)
640	1000 lbs	Tuna canning - 1000 lbs/day fish processed basis	001

IV. IMPROVEMENTS

A. Are you now required by any Federal, State or local authority to meet any implementation schedule for the construction, upgrading or operation of waste-water treatment equipment or practices or any other environmental programs which may affect the discharges described in this application? This includes, but is not limited to, permit conditions, administrative or enforcement orders, enforcement compliance schedule letters, stipulations, court orders, and grant or loan conditions.
☐ YES (complete the following table) ☒ NO (go to Item IV-B) (Joint study underway)

1. IDENTIFICATION OF CONDITION, AGREEMENT, ETC.	2. AFFECTED OUTFALLS		3. BRIEF DESCRIPTION OF PROJECT	4. FINAL COMPLIANCE DATE	
	a. NO.	b. SOURCE OF DISCHARGE		a. REQUIRED	b. PROJECTED
			With ASG and Star-Kist on Pago Pago Harbor water related issues		

B. OPTIONAL: You may attach additional sheets describing any additional water pollution control programs (or other environmental projects which may affect your discharges) you now have underway or which you plan. Indicate whether each program is now underway or planned, and indicate your actual or planned schedules for construction. ☐ MARK "X" IF DESCRIPTION OF ADDITIONAL CONTROL PROGRAMS IS ATTACHED

V. INTAKE AND EFFLUENT CHARACTERISTICS

A, B, & C: See instructions before proceeding — Complete one set of tables for each outfall — Annotate the outfall number in the space provided.
NOTE: Tables V-A, V-B, and V-C are included on separate sheets numbered V-1 through V-9.

D. Use the space below to list any of the pollutants listed in Table 2c-3 of the instructions, which you know or have reason to believe is discharged or may be discharged from any outfall. For every pollutant you list, briefly describe the reasons you believe it to be present and report any analytical data in your possession.

1. POLLUTANT	2. SOURCE	1. POLLUTANT	2. SOURCE
None of the substances listed are used in the manufacturing process; however, this does not preclude one or more of them from being present in trace concentrations in either influent or effluent waters.			

VI. POTENTIAL DISCHARGES NOT COVERED BY ANALYSIS

A. Is any pollutant listed in Item V-C a substance or a component of a substance which you do or expect that you will over the next 5 years use or manufacture as an intermediate or final product or byproduct?

☐ YES (list all such pollutants below)

☒ NO (go to Item VI-B)

B. Are your operations such that your raw materials, processes, or products can reasonably be expected to vary so that your discharges of pollutants may during the next 5 years exceed two times the maximum values reported in Item V?

☐ YES (complete Item VI-C below)

☒ NO (go to Section VII)

C. If you answered "Yes" to Item VI-B, explain below and describe in detail the sources and expected levels of such pollutants which you anticipate will be discharged from each outfall over the next 5 years, to the best of your ability at this time. Continue on additional sheets if you need more space.

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CONTINUED FROM THE FRONT

VII. BIOLOGICAL TOXICITY TESTING DATA

Do you have any knowledge or reason to believe that any biological test for acute or chronic toxicity has been made on any of your discharges or on a receiving water in relation to your discharge within the last 3 years?

☐ YES (identify the test(s) and describe their purposes below)

☒ NO (go to Section VIII)

VIII. CONTRACT ANALYSIS INFORMATION

Were any of the analyses reported in Item V performed by a contract laboratory or consulting firm?


☐ YES (list the name, address, and telephone number of, and pollutants analyzed by, each such laboratory or firm below)

☒ NO (go to Section IX)

A. NAME	B. ADDRESS	C. TELEPHONE (area code & no.)	D. POLLUTANTS ANALYZED (list)

IX. CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A. NAME & OFFICIAL TITLE (type or print) F. H. Avers, Division Vice President and Director, Production Operations	B. PHONE NO. (area code & no.) (314) 982-4003
C. SIGNATURE 	D. DATE SIGNED 9/27/84

0463

PLEASE PRINT OR TYPE IN THE UNSHADED AREAS ONLY. You may report some or all of this information on separate sheets (use the same format) instead of completing these pages. SEE INSTRUCTIONS.

EPA I.D. NUMBER (copy from Item 1 of Form 1)

AS 000 0027

Form Approved OMB No. 158-R0173

V. INTAKE AND EFFLUENT CHARACTERISTICS (continued from page 3 of Form 2-C)

Note: COD, TOC and Ammonia Data Filed Previously with EPA. Data based on 9/83 to 5/84 DMR

OUTFALL NO.

001

PART A - You must provide the results of at least one analysis for every pollutant in this table. Complete one table for each outfall. See instructions for additional details.

1. POLLUTANT	2. EFFLUENT						3. UNITS (specify if blank)		4. INTAKE (optional)			
	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	b. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
a. Biochemical Oxygen Demand (BOD)	2608	---	Not available		1414	----	8 - (DMR's)	mg/l				
b. Chemical Oxygen Demand (COD)	---	---	---	---	---	---		---	---			
c. Total Organic Carbon (TOC)	---	---	---	---	---	---		---	---			
d. Total Suspended Solids (TSS)	286			156.4	117		(DMR's)	mg/l				
e. Ammonia (as N)	---	---	---	---	---	---						
f. Flow	VALUE .724		VALUE .439		VALUE .401 (9/83-5/84)			MGPD		VALUE		
g. Temperature (winter) (-May)	VALUE 84°F (ave.)		VALUE 80°F (ave.)		VALUE			°C		VALUE		
h. Temperature (summer) (Nov.)	VALUE 90°F (ave)		VALUE 84°F (ave)		VALUE N/A			°C		VALUE		
i pH	MINIMUM 6.1	MAXIMUM 8.2	MINIMUM 6.0	MAXIMUM 8.4				STANDARD UNITS				

PART B - Mark "X" in column 2-a for each pollutant you know or have reason to believe is present. Mark "X" in column 2-b for each pollutant you believe to be absent. If you mark column 2-a for any pollutant, you must provide the results of at least one analysis for that pollutant. Complete one table for each outfall. See the instructions for additional details and requirements. NOTE: The Part A numbers are based on active experience at a nominal 225.

1. POLLUTANT AND CAS NO. (if available)	2. MARK "X"		3. EFFLUENT						4. UNITS		5. INTAKE (optional)						
	a. BELIEVED PRESENT	b. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	b. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES			
			(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS				
a. Bromide (24958-67-9)		X	Ton/day capacity. An expansion to 320 tons/day is underway. The projected loading should be scaled upward accordingly, as the new capacity will be 320 tons/day in early 1985.														
b. Chlorine, Total Residual	X																
c. Color	X																
d. Fecal Coliform	X																
e. Fluoride (16334-49-8)		X															
f. Nitrate-Nitrite (as N)	X		.268				.164		7	mg/l							

None of substances marked "believed absent" are used in the production process; however this does not preclude one or more of them from being present in trace concentrations in the discharge.

ITEM V-8 CONTINUED FROM FRONT

1. POLLUTANT AND CAS NO. (if available)	2. MARK 'X'		3. EFFLUENT						4. UNITS		5. INTAKE (optional)			
	a. BELIEVED PRESENT	b. BELIEVED ABSENT	3. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	8. LONG TERM AVERAGE VALUE		d. NO. OF ANALYSES
			(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
g. Nitrogen, Total Organic (as N)	X		578.2	---	---	---	444.6	---	7	mg/l	---			
h. Oil and Grease	X		234.8	---	113.4		60.9	---	DMR's	mg/l	---			
i. Phosphorus (as P), Total (7723-14-0)	X		29.3	---	---	---	16.1	---	7	mg/l	---			
j. Radioactivity														
(1) Alpha, Total		X												
(2) Beta, Total		X												
(3) Radium, Total		X												
(4) Radium 226, Total		X												
k. Sulfate (as SO ₄) (14808-79-8)	X													
l. Sulfide (as S)	X													
m. Sulfite (as SO ₃) (14265-45-3)	X													
n. Surfactants														
o. Aluminum, Total (7429-90-5)	X													
p. Barium, Total (7440-39-3)		X												
q. Boron, Total (7440-42-8)		X												
r. Cobalt, Total (7440-48-4)	046X	X												
s. Iron, Total (7439-89-6)	046X													
t. Magnesium, Total (7439-95-4)		X												
u. Molybdenum, Total (7439-98-7)		X												
v. Manganese, Total (7439-96-5)		X												
w. Tin, Total (7440-31-5)		X												
x. Titanium, Total (7440-32-6)		X												

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CONTINUED FROM PAGE 3 OF FORM 2-C

Form Approved OMB No. 158-R0173

PART C - If you are a primary industry and this outfall contains process wastewater, refer to Table 2c-2 in the instructions to determine which of the GC/MS fractions you must test for. Mark "X" in column 2 a for all such GC/MS fractions that apply to your industry and for ALL toxic metals, cyanides, and total phenols. If you are not required to mark column 2-a (*secondary industries, non-process wastewater outfalls, and non-required GC/MS fractions*), mark "X" in column 2-b for each pollutant you know or have reason to believe is present. Mark "X" in column 2-c for each pollutant you believe to be absent. If you mark either columns 2-a or 2-b for any pollutant, you must provide the results of at least one analysis for that pollutant. Note that there are seven pages to this part; please review each carefully. Complete one table (*all seven pages*) for each outfall. See instructions for additional details and requirements.

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK 'X'			3. EFFLUENT						4. UNITS		5. INTAKE (optional)			
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
METALS, CYANIDE, AND TOTAL PHENOLS															
1M. Antimony, Total (7440-36-0)			X												
2M. Arsenic, Total (7440-38-2)			X												
3M. Beryllium, Total, 7440-41-7)			X												
4M. Cadmium, Total (7440-43-9)			X												
5M. Chromium, Total (7440-47-3)			X												
6M. Copper, Total (7550-50-8)			X												
7M. Lead, Total (7439-92-1)			X												
8M. Mercury, Total (7439-97-6)			X												
9M. Nickel, Total (7440-02-0)			X												
10M. Selenium, Total (7440-02-4)			X												
11M. Silver, Total (7440-03-4)			X												
12M. Thallium, Total (7440-28-0)			X												
13M. Zinc, Total (7440-66-6)			X												
14M. Cyanide, Total (57-12-5)			X												
15M. Phenols, Total			X												
DIOXIN															
2,3,7,8 Tetra-chlorodibenzo-P-Dioxin (1764-01-6)			X	DESCRIBE RESULTS											

None of substances marked "believed absent" are used in the production process; however this does not preclude one or more of them from being present in trace concentrations in the discharge.

CONTINUED FROM THE FRONT

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK 'X'			3. EFFLUENT						4. UNITS		5. INTAKE (optional)			
	a. TEST- ING RE- QUIR- ED	b. BELIEVED PRE- SENT	c. BELIEVED AB- SENT	b. MAXIMUM DAILY VALUE		d. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANAL- YSES	b. CONCEN- TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANAL- YSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCEN- TRATION	(2) MASS	
GC/MS FRACTION - VOLATILE COMPOUNDS															
1V. Acrolein (107-02-8)			X												
2V. Acrylonitrile (107-13-1)			X												
3V. Benzene (71-43-2)			X												
4V. Bis (Chloro- methyl) Ether (542-88-1)			X												
5V. Bromoform (75-25-2)			X												
6V. Carbon Tetrachloride (56-23-5)			X												
7V. Chlorobenzene (108-90-7)			X												
8V. Chlorodi- bromomethane (124-48-1)			X												
9V. Chloroethane (75-00-3)			X												
10V. 2-Chloro- ethylvinyl Ether (110-75-8)			X												
11V. Chloroform (67-66-3)			X												
12V. Dichloro- bromomethane (75-27-4)			X												
13V. Dichloro- difluoromethane (75-71-8)			X												
14V. 1,1-Dichloro- ethane (75-34-3)			X												
15V. 1,2-Dichloro- ethane (107-06-2)			X												
16V. 1,1-Dichloro- ethylene (75-35-4)			X												
17V. 1,2-Dichloro- propane (78-87-5)			X												
18V. 1,3-Dichloro- propylene (542-75-6)			X												
19V. Ethylbenzene (100-41-4)			X												
20V. Methyl Bromide (74-83-9)			X												
21V. Methyl Chloride (74-87-3)			X												

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1. POLLUTANT AND CAS NUMBER (if available)	2. MARK 'X'			3. EFFLUENT						4. UNITS		5. INTAKE (optional)			
	a. TEST ING. RE- QUIR- ED	b. BE- LIEVED PRE- SENT	c. BE- LIEVED AB- SENT	4. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANAL- YSES	e. CONCEN- TRATION	f. MASS	8. LONG TERM AVERAGE VALUE		b. NO. OF ANAL- YSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCEN- TRATION	(2) MASS	
C/MIS FRACTION - VOLATILE COMPOUNDS (continued)															
2V. Methylene chloride (75-09-2)			X												
3V. 1,1,2,2-Tetrachloroethane (9-34-5)			X												
4V. Tetrachloroethylene (127-18-4)			X												
5V. Toluene (98-98-3)			X												
6V. 1,2-Trans-chloroethylene (66-60-5)			X												
7V. 1,1,1-Trichloroethane (1-55-6)			X												
8V. 1,1,2-Trichloroethane (9-00-5)			X												
9V. Trichloroethylene (79-01-6)			X												
10V. Trichloromethane (69-4)			X												
11V. Vinyl chloride (75-01-4)			X												
C/MIS FRACTION - ACID COMPOUNDS															
12 2-Chlorophenol (57-8)			X												
13 2,4-Dichlorophenol (120-83-2)			X												
14 2,4-Dimethylphenol (105-67-9)			X												
15 4,6-Dinitro-O-sol (534-52-1)			X												
16 2,4-Dinitrophenol (51-28-5)			X												
17 2-Nitrophenol (75-5)			X												
18 4-Nitrophenol (100-02-7)			X												
19 P-Chloro-M-sol (59-50-7)			X												
20 Pentachlorophenol (87-36-5)			X												
21 Phenol (95-2)			X												
22 2,4,6-Trichlorophenol (66-2)			X												

CONTINUED FROM THE FRONT

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK 'X'			3. EFFLUENT						4. UNITS		5. INTAKE (optional)			
	a. TESTING REQUIRED	b. BELIEVED ABSENT	c. BELIEVED PRESENT	b. MAXIMUM DAILY VALUE		d. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	e. LONG TERM AVERAGE VALUE		d. NO. OF ANALYSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
GC/MS FRACTION - BASE/NEUTRAL COMPOUNDS															
1B. Acenaphthene (83-32-9)			X												
2B. Acenaphthylene (203-96-8)			X												
3B. Anthracene (120-12-7)			X												
4B. Benzidine (92-87-5)			X												
5B. Benzo (a) Anthracene (56-55-3)			X												
6B. Benzo (a) Pyrene (50-32-8)			X												
7B. 3,4-Benzo-fluoranthene (205-99-2)			X												
8B. Benzo (ghi) Perylene (191-24-2)			X												
9B. Benzo (k) Fluoranthene (207-08-9)			X												
10B. Bis (2-Chloro-ethoxy) Methane (111-91-1)			X												
11B. Bis (2-Chloro-ethyl) Ether (111-44-4)			X												
12B. Bis (2-Chloro-isopropyl) Ether (39638-32-9)			X												
13B. Bis (2-Ethyl-hexyl) Phthalate (117-81-7)			X												
14B. 4-Bromophenyl Phenyl Ether (101-55-3)			X												
15B. Butyl Benzyl Phthalate (85-68-7)			X												
16B. 2-Chloronaphthalene (91-58-7)			X												
17B. 4-Chlorophenyl Phenyl Ether (7005-72-3)			X												
18B. Chrysene (218-01-9)			X												
19B. Dibenzo (a,h) Anthracene (53-70-3)			X												
20B. 1,2-Dichlorobenzene (95-50-1)			X												
21B. 1,3-Dichlorobenzene (541-73-1)			X												

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None of substances marked "believed absent" are used in the production process; however this does not preclude one or more of them from being present in trace concentrations in the discharge.

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK 'X'			3. EFFLUENT						4. UNITS		5. INTAKE (optional)			
	A. TESTING REQUIRED	B. BELIEVED PRESENT	C. BELIEVED ABSENT	B. MAXIMUM DAILY VALUE		D. MAXIMUM 30 DAY VALUE (if available)		C. LONG TERM AVG. VALUE (if available)		D. NO. OF ANALYSES	B. CONCENTRATION	b. MASS	3. LONG TERM AVERAGE VALUE		D. NO. OF ANALYSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
GC/MS FRACTION - BASE/NEUTRAL COMPOUNDS (continued)															
22B. 1,4-Dichlorobenzene (106-46-7)			X												
23B. 3,3'-Dichlorobenzidine (91-94-1)			X												
24B. Diethyl Phthalate (84-66-2)			X												
25B. Dimethyl Phthalate (131-11-3)			X												
26B. Di-N-Butyl Phthalate (84-74-2)			X												
27B. 2,4-Dinitrotoluene (121-14-2)			X												
28B. 2,6-Dinitrotoluene (806-20-2)			X												
29B. Di-N-Octyl Phthalate (117-84-0)			X												
30B. 1,2-Diphenylhydrazine (as Azobenzene) (122-66-7)			X												
31B. Fluoranthene (206-44-0)			X												
32B. Fluorene (86-73-7)			X												
33B. Hexachlorobenzene (118-71-1)			X												
34B. Hexachlorobutadiene (87-68-3)			X												
35B. Hexachlorocyclopentadiene (77-47-4)			X												
36B. Hexachloroethane (67-72-1)			X												
37B. Indeno (1,2,3-cd) Pyrene (193-39-5)			X												
38B. Isophorone (78-59-1)			X												
39B. Naphthalene (91-20-3)			X												
40B. Nitrobenzene (99-95-3)			X												
41B. N-Nitrosodimethylamine (62-75-9)			X												
42B. N-Nitrosodi-N-Propylamine (621-64-7)			X												

CONTINUED FROM THE FRONT

POLLUTANT AND CAS NUMBER (if available)	2. MARK 'X'			3. EFFLUENT						4. UNITS		5. INTAKE (optional)			
	a. TEST- ING RE- QUIR- ED	b. BE- LIEVED AB- SENT	c. BE- LIEVED AB- SENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANAL- YSES	a. CONCENT- RATION	b. MASS	b. LONG TERM AVERAGE VALUE		d. NO. OF ANAL- YSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENT- RATION	(2) MASS	
MS FRACTION - BASE/NEUTRAL COMPOUNDS (continued)															
N-Nitro- phenylamine (00-6)			X												
Phenanthrene (01-8)			X												
Pyrene (00-0)			X												
1,2,4-Trifluorobenzene (02-1)			X												
MS FRACTION - PESTICIDES															
Aldrin (00-2)			X												
α-BHC (04-6)			X												
β-BHC (05-7)			X												
γ-BHC (09-3)			X												
δ-BHC (06-8)			X												
Chlordane (74-9)			X												
4,4'-DDT (29-3)			X												
4,4'-DDE (55-9)			X												
4,4'-DDD (54-8)			X												
p, Dieldrin (57-1)			X												
p, α-Endosulfan (5-29-7)			X												
p, β-Endosulfan (5-29-7)			X												
p, Endosulfan (fate) (31-07-8)			X												
p, Endrin (20-8)			X												
p, Endrin Jehyde (21-93-4)			X												
p, Heptachlor (5-44-8)			X												

None of substances marked "believed absent" are used in the production process; however this does not preclude one or more of them from being present in trace concentrations in the discharge.

CONTINUED FROM PAGE V-8

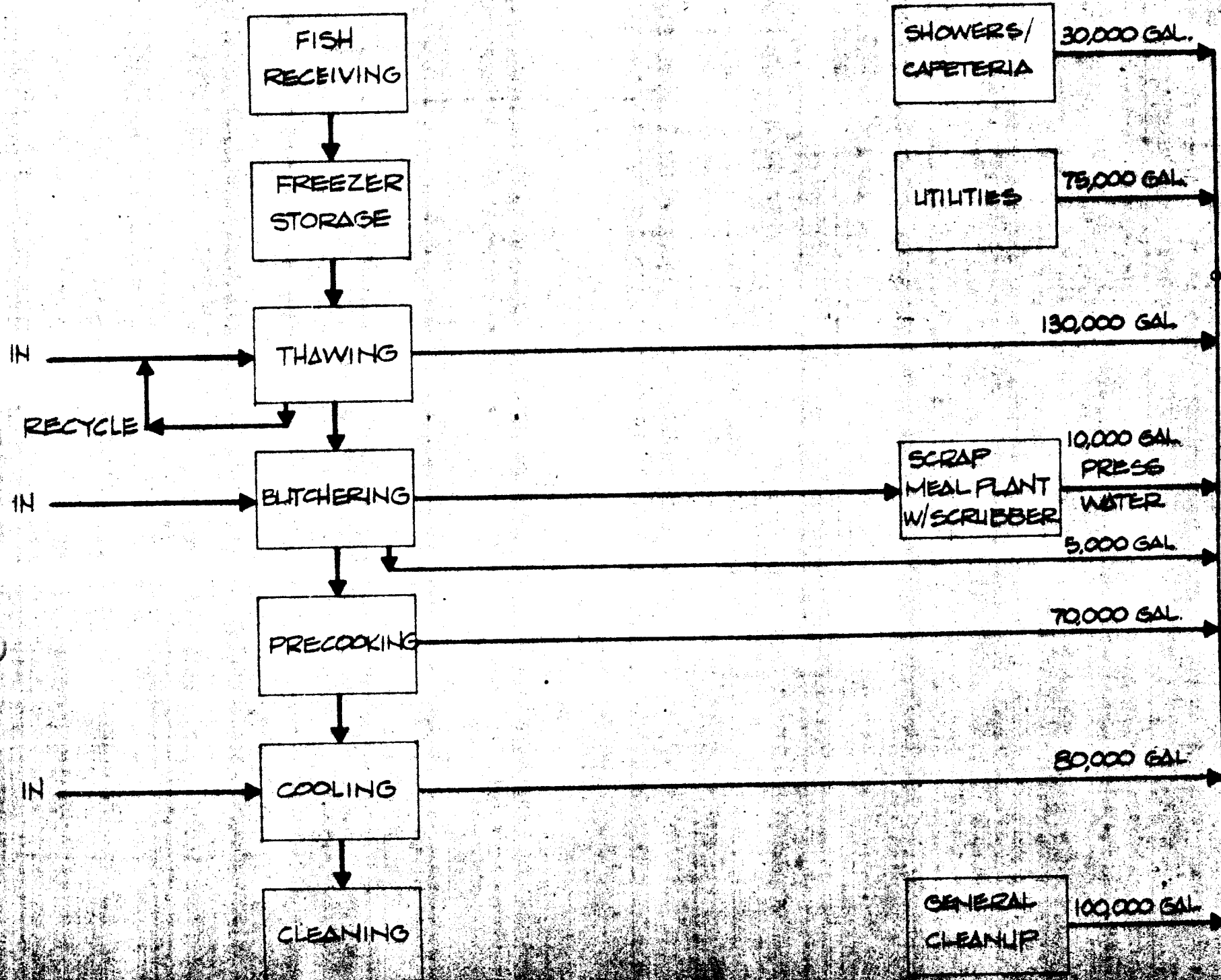
1. POLLUTANT AND CAS NUMBER (if available)	2. MARK 'X'			3. EFFLUENT						d. NO. OF ANALYSES	4. UNITS		5. INTAKE (optional)		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	8. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)			a. CONCENTRATION	b. MASS	8. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
GC/MS FRACTION - PESTICIDES (continued)															
17P. Heptachlor Epoxide (1024-57-3)			X												
18P. PCB-1242 (53469-21-9)			X												
19P. PCB-1254 (11097-69-1)			X												
20P. PCB-1221 (11104-29-2)			X												
21P. PCB-1232 (11141-16-5)			X												
22P. PCB-1248 (12672-29-6)			X												
23P. PCB-1260 (11095-82-5)			X												
24P. PCB-1016 (12674-11-2)			X												
25P. Toxaphene (8001-35-2)			X												

EPA Form 3510-2C (6-80)

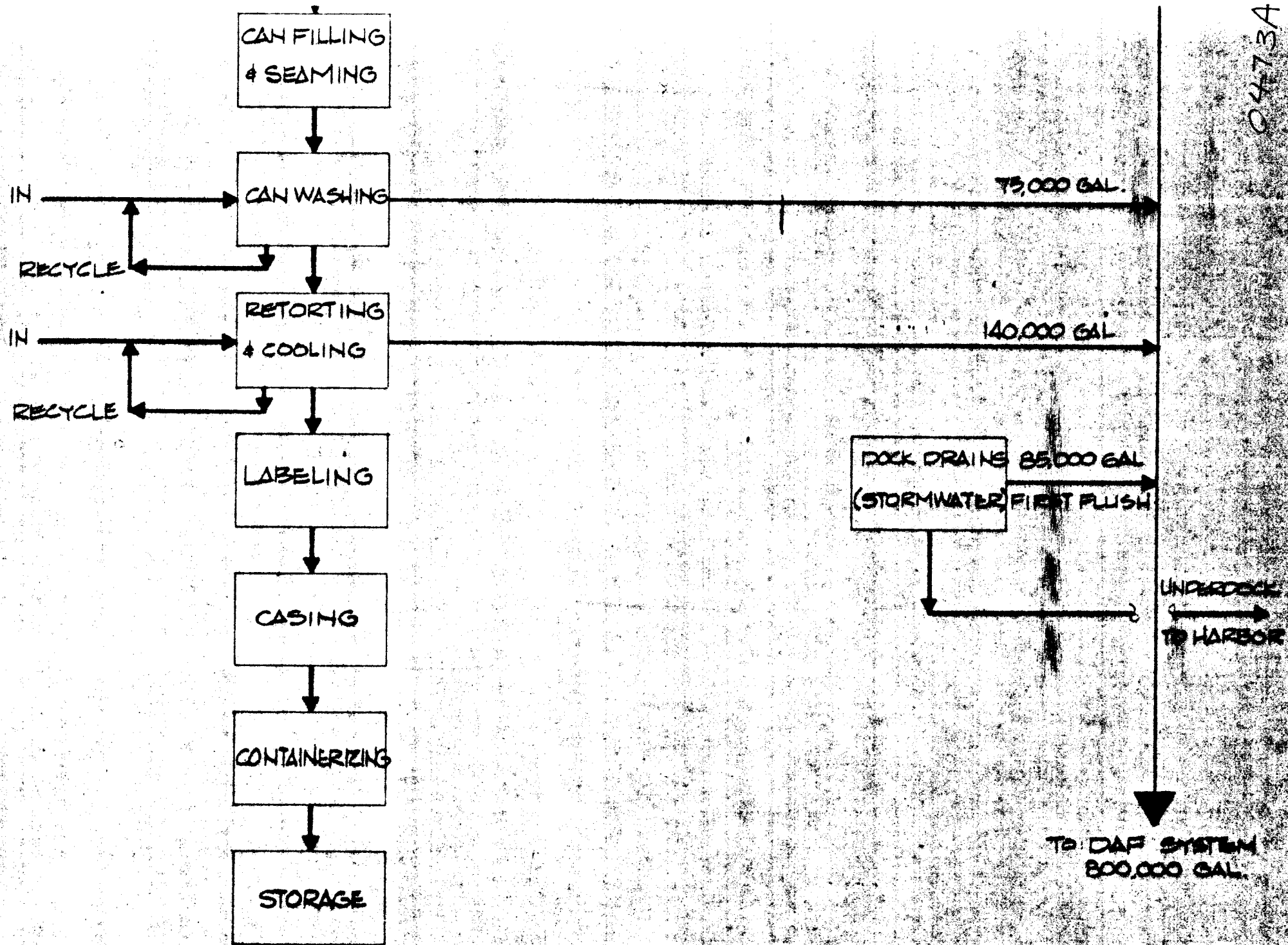
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None of substances marked "believed absent" are used in the production process; however this does not preclude one or more of them from being present in trace concentrations in the discharge.

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SOURCES OF DAF EFFLUENT

SAMPAC @ 320 TONS/DAY NOMINAL MAX LEVEL

MISCHENK 9-25-84